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Matt Blunt

Secretary of State

MISSOURI REGISTER

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MISSOURI REGISTER

January 2, 2002 Vol. 27 No. 1 **Pages 1–64**

IN THIS ISSUE:

Register Filing Deadlines	Register Publication	Code Publication	Code Effective
Aug. 31, 2001	**Oct. 1, 2001**	Oct. 31, 2001	Nov. 30, 2001
Sept. 14, 2001	**Oct. 15, 2001**	Oct. 31, 2001	Nov. 30, 2001
Oct. 2, 2001	**Nov. 1, 2001**	Nov. 30, 2001	Dec. 30, 2001
Oct. 16, 2001	**Nov. 15, 2001**	Nov. 30, 2001	Dec. 30, 2001
Nov. 1, 2001	**Dec. 3, 2001**	Dec. 31, 2001	Jan. 30, 2002
Nov. 15, 2001	**Dec. 17, 2001**	Dec. 31, 2001	Jan. 30, 2002
December 3, 2001	**January 2, 2002**	January 29, 2002	February 28, 2002
December 17, 2001	**January 16, 2002**	January 29, 2002	February 28, 2002
January 2, 2002	**February 1, 2002**	February 28, 2002	March 30, 2002
January 16, 2002	**February 15, 2002**	February 28, 2002	March 30, 2002
February 1, 2002	**March 1, 2002**	March 31, 2002	April 30, 2002
February 15, 2002	**March 15, 2002**	March 31, 2002	April 30, 2002
March 1, 2002	**April 1, 2002**	April 30, 2002	May 30, 2002
March 15, 2002	**April 15, 2002**	April 30, 2002	May 30, 2002
April 1, 2002	**May 1, 2002**	May 31, 2002	June 30, 2002
April 15, 2002	**May 15, 2002**	May 31, 2002	June 30, 2002
May 1, 2002	**June 3, 2002**	June 30, 2002	July 30, 2002
May 15, 2002	**June 17, 2002**	June 30, 2002	July 30, 2002

Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule.

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HOW TO CITE RULES AND RSMo

RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 26, *Missouri Register*, page 27. The approved short form of citation is 26 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	***Code of State Regulations***	**Division**	**Chapter**	**Rule**
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

RSMo—Cite material in the RSMo by date of legislative action. The note in parentheses gives the original and amended legislative history. The Office of the Revisor of Statutes recognizes that this practice gives users a concise legislative history.

Rules appearing under this heading are filed under the authority granted by section 536.025, RSMo 2000. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the *Missouri* and the *United States Constitutions*; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons and findings which support its conclusion that there is an immediate danger to the public health, safety or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

Rules filed as emergency rules may be effective not less than ten days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the *Missouri Register* as soon as practicable.

All emergency rules must state the period during which they are in effect, and in no case can they be in effect more than 180 calendar days or 30 legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 73—Board of Nursing Home Administrators
Chapter 2—General Rules

EMERGENCY AMENDMENT

13 CSR 73-2.015 Fees. The board is amending subsections (1)(C) and (E), and section (2).

PURPOSE: This amendment establishes the dollar amount for the state exam fee and the payee of that fee. It also deletes language referencing the computer administration fee.

EMERGENCY STATEMENT: This emergency amendment informs applicants for licensure that a state exam fee has been set by the Board and replaces the fees fixed by and paid to the National Association of Boards of Examiners of Long Term Care Administrators (NAB). This emergency amendment is necessary because the contract with NAB, to administer a computer based state examination (CBT), will expire on Dec. 31, 2001 and the Board does not wish to enter a new agreement. The Board has determined that Missouri's applicants are unnecessarily penalized because of policies of NAB and the testing service. Strict appointment procedures have caused applicants to forfeit their fees and created lengthy delays in the testing process. This emergency amendment will allow the Board to administer the state exam without an additional cost for computerized testing and without the possibility of forfeiture. In addition, the process of registering, testing, and receiving test results will be more timely for applicants. A proposed amendment, which covers the same material, is published in this issue of the ***Missouri Register.*** *The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the* ***Missouri*** *and* ***United States Constitutions.*** *The Board believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed November 30, 2001, effective January 1, 2002, and expires June 29, 2002.*

(1) The following fees are required by the Board of Nursing Home Administrators:

(C) State Exam Fee *[and computer administration fee for the state exam as fixed by the National Association of Board of Examiners of Long Term Care Administrators]* **$75.00**;

(E) License Renewal Late Penalty Fee (This fee is in addition to the renewal fee listed in subsection (1)*[(C)]***(D)**) $25.00;

(2) Fees listed in (1)(A) and *[(D)]* **(C)**–(H) must be made payable to the Division of Aging in the form of a cashier's check, company check or money order. Fees listed in (1)(B) *[and (C)]* must be made payable to the National Association of Board of Examiners of Long Term Care Administrators (NAB).

*AUTHORITY: section 344.070, RSMo [Supp. 1998] **2000**. Original rule filed Jan. 3, 1992, effective May 14, 1992. Amended: Filed March 4, 1993, effective Aug. 9, 1993. Emergency amendment filed Nov. 17, 1999, effective Dec. 11, 1999, expired June 7, 2000. Amended: Filed Nov. 1, 1999, effective April 30, 2000. Emergency amendment filed Nov. 30, 2001, effective Jan. 1, 2002, expires June 29, 2002. A proposed amendment covering this same material is published in this issue of the* ***Missouri Register.***

Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 73—Board of Nursing Home Administrators
Chapter 2—General Rules

EMERGENCY AMENDMENT

13 CSR 73-2.070 Examination. The board is amending sections (2) and (3), moving and renumbering sections (4)–(7) to section (3) subsections (A)–(D), adding a new section (4), and renumbering sections (8)–(11).

PURPOSE: This amendment establishes separate procedures for taking the national exam and the state exam.

EMERGENCY STATEMENT: This emergency amendment informs applicants for licensure that there are separate procedures for taking the national exam and the state exam. This emergency amendment is necessary because the contract with NAB, to administer a computer based state examination (CBT), will expire on Dec. 31, 2001 and the Board does not wish to enter a new agreement. The Board has determined that Missouri's applicants are unnecessarily penalized because of policies of NAB and the testing service. Strict appointment procedures have caused applicants to forfeit their fees and created lengthy delays in the testing process. This emergency amendment will allow the Board to administer the state exam without an additional cost for computerized testing and without the possibility of forfeiture. In addition, the process of registering, testing, and receiving test results will be more timely for

applicants. A proposed amendment, which covers the same material, is published in this issue of the ***Missouri Register****. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the* ***Missouri*** *and* ***United States Constitutions****. The Board believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed November 30, 2001, effective January 1, 2002, and expires June 29, 2002.*

(2) The examination**(s)** must be taken within twelve (12) months of the written notice of board evaluation and qualification. Failure to do so will cause full reapplication to be necessary.

(3) Qualified applicants will be eligible to take the national *[and/or state]* examination through the testing service by following the procedures set forth in **sub**sections *[(4)–(7)]* **(A)–(D)** *[of this rule]*.

[(4)] **(A)** Applicants must submit the National Association of Boards of Examiners of Long Term Care Administrators (NAB) Application Form for Computerized Testing**, the Fee Payment Transmittal Form,** and the required fees to the board office. The applicant will receive from the testing service an authorization letter including a list of testing center vendors, each center's toll-free telephone number and instructions on the scheduling process.

[(5)] **(B)** Applicants must schedule to sit the examination within sixty (60) days of the date on the testing service's authorization letter.

[(6)] **(C)** Failure to schedule and sit the examination(s) within the sixty (60)-day period will cause the applicant's name to be removed from the eligibility list kept by the testing service. Applicants may reschedule by resubmitting the NAB Application Form**s** and paying any required fees.

[(7)] **(D)** Applicants must comply with all criteria and requirements established by the board, the National Association of Board of Examiners of Long Term Care Administrators (NAB), the testing service and the testing center.

(4) Qualified applicants will be eligible to take the state examination administered by the board once a written request and the seventy-five ($75) fee are received by the board. The examination will be scheduled at least monthly if one (1) or more applicants are awaiting examination.

[(8)] **(5)** Individuals making initial application for licensure, within twenty-one (21) days of a board meeting date, may be required to wait until a subsequent date to be evaluated.

[(9)] **(6)** Applicants shall obtain a passing score on the examination(s) administered by the board. The passing score shall be based upon the scale score passing point of one hundred thirteen (113) on the federal portion of the examination and seventy-five percent (75%) on the state portion of the examination.

[(10)] **(7)** If an applicant fails to make a passing grade on one or both of the required examinations, the applicant may make application for reexamination and pay the required fees. If an applicant fails only one of the required examinations and then fails to retake and pass the examination within a twelve (12)-month period, the applicant shall be required to take and pass both examinations before the board will issue the applicant a license.

[(11)] **(8)** If an applicant fails the examination a third time, the applicant must complete a course of instruction prescribed and approved by the board. After completion of the board-prescribed course of instruction, the applicant may reapply for board-approved examination(s). No applicant shall be licensed by the board after a third licensure examination failure unless the applicant successfully completes the board-prescribed course of instruction and passes the board-approved examination(s). With regard to any nationally certified examination required for licensure, no examination scores from other states shall be recognized by the board after the applicant has failed for a third time to pass the examination.

*AUTHORITY: section 344.070, RSMo [Supp. 1998] **2000**. Original rule filed May 13, 1980, effective Aug. 11, 1980. For intervening history, please consult the* ***Code of State Regulations****. Emergency amendment filed Nov. 30, 2001, effective Jan. 1, 2002, expires June 29, 2002. A proposed amendment covering this same material is published in this issue of the* ***Missouri Register****.*

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbology under the heading of the proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register.* If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety (90)-day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:
Boldface text indicates new matter.
[Bracketed text indicates matter being deleted.]

Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights and Measures
Chapter 10—Liquefied Petroleum Gases

PROPOSED AMENDMENT

2 CSR 90-10.012 Registration—Training. The director of agriculture is amending section (4) and removing the forms that follow this rule in the *Code of State Regulations*.

PURPOSE: The purpose of this amendment is to more appropriately set the training interval and curriculum requirements that will increase the quality of training programs in Missouri while also creating uniformity in training with programs in other states.

PUBLISHER'S NOTE: The forms referenced in this rule may be accessed through the Missouri Department of Agriculture's website at www.mda.state.mo.us or by request from the agency at (573) 751-4278.

(4) Every individual, except clerical personnel and others not actually handling LPGs **or servicing appliances or equipment**, within any business involved in handling, storing or transporting LPGs or involved in the installation, repairing or servicing of piping, equipment or appliances for use with LPGs must attend and complete *[a]* **an initial** training program, including the passing of a written examination*[, managers must attend every five (5) years and all other personnel every three (3) years, regarding the safe handling, storing and bulk delivery of LPGs and the safe installation, repairing or servicing of piping, equipment and appliances for use with LPGs.]* **with a score of at least seventy-five percent (75%). Every individual subject to the requirements of this section shall attend refresher training at least once every three (3) years. New employees shall be trained by their employer until such time that training is available through a state-approved training program.** *[These]* **Each** training program's **curriculum** must be **based on the National Propane Gas Association's (NPGA) Certified Employee Training Program (CETP) or equivalent, structured to meet the trainees needs, and** approved by the director. All training programs submitted to the director must contain information on applicable statutes and regulations governing liquefied petroleum gases; must be resubmitted to the director for review and approval on an annual basis or at such time change has been made; and any training program that, through audit, does not meet the approved training program criteria, may be rejected for use by the director.

*AUTHORITY: section 323.020, RSMo [1994] **2000**. Original rule filed July 13, 1977, effective Nov. 11, 1977. Amended: Filed May 2, 1985, effective Sept. 27, 1985. Amended: Filed March 3, 1989, effective June 29, 1989. Amended: Filed Nov. 13, 1997, effective June 30, 1998. Amended: Filed Dec. 3, 2001.*

PUBLIC COST: This proposed amendment is estimated to cost state agencies or political subdivisions less than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed amendment is estimated to cost private entities four hundred ninety-six thousand, three hundred-ten dollars and fifty cents ($496,310.50) in the aggregate every three (3) years.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Agriculture, Weights and Measures Division, Ron Hooker, Acting Director, PO Box 630, Jefferson City, MO 65102-0630. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

FISCAL NOTE
PRIVATE ENTITY COST

I. RULE NUMBER: 2 CSR 90-10.012

Title 2-Department of Agriculture

Division 90-Weights and Measures

Chapter 10-Liquefied Petroleum Gases

Type of Rulemaking; Rule Name an d Number: Proposed amendment, 2 CSR 90-10.012 Registration Training

II. SUMMARY OF FISCAL IMPACT

Estimated Number of entities	Classification of business entities affected	Estimated cost of compliance In the aggregate
636	Cylinder Exchange	$62,487.00
1592	HVAC Technicians	$256,671.00
955	LP Dealers & Employees	$177,152.50
Approximate aggregate cost every three years		$496,310.50

III. WORKSHEET

Cylinder Exchange Personnel	636 @ $98.25	$62,487.00
HVAC Technicians	1592 @ $161.25	$256,710.00
LP Dealers & Employees	955 @ $185.50	$177,152.50

IV. ASSUMPTIONS AND METHODOLOGY

Based on the number of persons contained in the propane program and the database that have received training through state approved training programs.

Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights and Measures
Chapter 10—Liquefied Petroleum Gases

PROPOSED AMENDMENT

2 CSR 90-10.013 Installation Requirements. The director of agriculture is amending section (11) and removing the forms that follow this rule in the *Code of State Regulations*.

PURPOSE: The purpose of this amendment is to more appropriately address the unique application of cylinders utilized in hot air balloon service. This amendment will give the balloon owners and operators greater flexibility in refueling the balloons while maintaining an adequate level of safety.

PUBLISHER'S NOTE: The forms referenced in this rule may be accessed through the Missouri Department of Agriculture's website at www.mda.state.mo.us or by request from the agency at (573) 751-4278.

(11) All LPG dispensers shall have recommended fill procedures posted in a conspicuous location and all cylinder fill dispensers shall be equipped with a state-approved scale to be utilized for the safe filling of LPG cylinders. LP gas cylinders of one hundred (100) pounds water capacity or less shall be filled by weight only utilizing a state-approved scale. Cylinders of one hundred (100) pounds capacity or less shall not be filled from any LP gas delivery vehicle. **An exception may be made by the inspection authority for cylinders utilized in hot air balloon service if the cylinders are approved for such service, have an accurate approved method of gauging, are in good condition and are filled in a safe location away from any source of ignition.**

*AUTHORITY: section 323.020, RSMo [1994] **2000**. Original rule filed July 13, 1977, effective Nov. 11, 1977. Amended: Filed May 2, 1985, effective Sept. 27, 1985. Amended: Filed March 3, 1989, effective June 29, 1989. Amended: Filed Nov. 13, 1997, effective June 30, 1998. Amended: Filed Dec. 3, 2001*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Agriculture, Weights and Measures Division, Ron Hooker, Acting Director, PO Box 630, Jefferson City, MO 65102-0630. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights and Measures
Chapter 10—Liquefied Petroleum Gases

PROPOSED AMENDMENT

2 CSR 90-10.020 NFPA Manual No. 54, *National Fuel Gas Code*. The director of agriculture is amending the Summary section and section (1).

*PURPOSE: The proposed amendment to this rule will adopt the most recent edition of the National Fire Protection Association Manual 54, the **National Fuel Gas Code**. Adoption of this code will more appropriately address safety hazards associated with liquefied petroleum gas appliances, equipment and systems.*

SUMMARY: The scope of National Fire Protection Association (NFPA) Manual No. 54, *National Fuel Gas Code*, *[1996]* **1999** edition, is to develop fire safety codes, standards, recommended practices and manuals, as may be considered desirable, covering the installation of piping and appliances using fuel gases such as natural gas, manufactured gas, liquefied petroleum gas and liquefied petroleum gas-air mixture.

(1) Standards contained in National Fire Protection Association (NFPA) Manual No. 54, *National Fuel Gas Code*, *[1996]* **1999** edition are *[adopted]* **incorporated herein by reference**. The balance of this rule sets forth requirements for liquefied petroleum (LPG) applications not covered in the manual.

*AUTHORITY: sections 261.023.6 and 323.020, RSMo [1994] **2000**. Original rule filed Jan. 24, 1968, effective Feb. 3, 1968. Amended: Filed Sept. 8, 1969, effective Sept. 18, 1969. Amended: Filed May 13, 1977, effective Jan. 13, 1978. Amended: Filed May 2, 1985, effective Sept. 27, 1985. Amended: Filed March 3, 1989, effective June 29, 1989. Amended: Filed Nov. 13, 1997, effective June 30, 1998. Amended: Filed Dec. 3, 2001.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than one hundred fifty thousand, one hundred twenty-three dollars and fifty cents ($150,123.50) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Agriculture, Weights and Measures Division, Ron Hooker, Acting Director, PO Box 630, Jefferson City, MO 65102-0630. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

FISCAL NOTE
PRIVATE ENTITY COST

I. RULE NUMBER: 2 CSR 90-10.020

Title 2-Department of Agriculture

Division 90-Weights and Measures

Chapter 10-Liquefied Petroleum Gases

Type of Rulemaking; Rule Name and Number: Proposed amendment, 2 CSR 90-10.020

II. SUMMARY OF FISCAL IMPACT

Estimated Number of Entities	Classification of business entities affected	Estimated cost of compliance In the aggregate
2,169	LP Company Employees	$72,119.25
444	LP Gas Companies	14,763.00
1,902	Service Company Employees	63,241.00

III. WORKSHEET

LP Gas Company Employees	2,169@ $33.25	$72,119.25
LP Gas Companies	444 @ $33.25	14,763.00
Service Company Employees	1902 @ $33.25	63,241.00
Total Cost		$150,123.50

IV. ASSUMPTIONS AND METHODOLOGY

Costs obtained from information received from the Missouri Propane Gas Association, The National Fire Protection Association and the LP Gas Inspection Program Database.

Title 2—DEPARTMENT OF AGRICULTURE
Division 90—Weights and Measures
Chapter 10—Liquefied Petroleum Gases

PROPOSED AMENDMENT

2 CSR 90-10.040 NFPA Manual No. 58, *Storage and Handling of Liquefied Petroleum Gases*. The director of agriculture is amending sections (1) and (6) and adding a new section (8).

PURPOSE: The proposed amendment to this rule will adopt the most recent edition of the National Fire Protection Association Manual 58, the standard for the storage and handling of liquefied petroleum gases. Adoption of this code will more appropriately address safety hazards associated with liquefied petroleum gas appliances, equipment and systems.

(1) This rule *[adopts]* **incorporated by reference** National Fire Protection Association (NFPA) Manual No. 58, *Storage and Handling of Liquefied Petroleum Gases*, *[1995]* **2001** edition as the current Standard for the Storage and Handling of Liquefied Petroleum Gases *[except that sections 2-2.6.6 shall not apply]*.

(6) At all LPG dispensers, it shall be the dispenser owner's responsibility to *[train]* **provide initial training to** specific persons on the operation of the dispenser. It shall be illegal for any person other than the trained person to operate the dispensing device. **It shall be the responsibility of the owner or manager of each business, where a dispenser is located and operated, to provide continuing training, as required by section 2 CSR 90-10.012(4), for each employee operating the dispenser.**

(8) The written Fire Safety Analysis, required by the 2001 edition of the National Fire Protection Association's Pamphlet 58, *Liquefied Petroleum Gas Code*, section 3.10.2.2 shall be prepared by a person approved by the Department of Agriculture's Division of Weights and Measures, who has relevant experience and is knowledgeable of the practices of the LP gas industry. The Fire Safety Analysis for an engineered facility, such as one that incorporates refrigerated storage, automated fuel standby (either industrial or utility) or pipeline terminals, shall be prepared, stamped and signed by a professional engineer who has relevant experience in LP gas or fire protection.

*AUTHORITY: sections 261.023.6 and 323.020, RSMo [1994] **2000**. Original rule filed Jan. 24, 1968, effective Feb. 3, 1968. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Dec. 3, 2001.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than $3,765,300 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than $19,498,816 in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Agriculture, Weights and Measures Division, Ron Hooker, Acting Director, PO Box 630, Jefferson City, MO 65102-0630. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

FISCAL NOTE
PUBLIC ENTITY COST

I. RULE NUMBER: 2 CSR 90-10.040

Title 2-Department of Agriculture

Division 90-Weights and Measures

Chapter 10-Liquefied Petroleum Gases

Type of Rulemaking; Rule Name and Number: Proposed amendment, 2 CSR 90-10.040 NFPA Manual No. 58, Storage and Handling of Liquefied Petroleum Gases.

II. SUMMARY OF FISCAL IMPACT

Affected Agency or political subdivision	Estimated cost of compliance in the aggregate
Public school	$3,757,600.00
Department of Natural Resources-Parks	$7,700.00

III. WORKSHEET

Tank Fire Analysis	Public Schools	488 @ $3,700.00	$1,805,600.00
Internal Tank Valves	Public Schools	488 @ $4,000.00	1,952,000.00
Department of Natural Resources-Parks		1 @ $4,000.00	4,000.00
Department of Natural Resources-Parks		1@ $3,700.00	3,700.00
Total Costs			$3,765,300.00

IV. ASSUMPTIONS AND METHODOLOGY

The LP Gas Program database, review of inspections with the inspection staff and the Missouri propane Gas Associations does not indicate any effect on public entities.

FISCAL NOTE
PRIVATE ENTITY COST

I. RULE NUMBER: 2 CSR 90-10.040

Title 2-Department of Agriculture

Division 90-Weights and Measures

Chapter 10-Liquefied Petroleum Gases

Type of Rulemaking; Rule Name and Number: Proposed amendment, 2 CSR 90-10.040 NFPA Manual No. 58, Storage and Handling of Liquefied Petroleum Gases.

II. SUMMARY OF FISCAL IMPACT

Estimated Number of Entities	Classification of business Entities affected	Estimated cost of compliance In the aggregate
220,000	Cylinder owners	$5,049,000.00
917	LP Gas Dealers	8,572,116.00
731	Industrial sites	5,628,700.00
Total Cost		$19,498,700.00

III. WORKSHEET

Cylinders needing OPD's	220,000 @ $22.95	$5,049,000.00
Industrial Site Internal Tank valves	731 @ $4,000.00	2,924,000.00
Industrial site Fire Analysis	731 @ $3,700.00	2,704,700.00
Dealer Tank Internal valves	917 @ $4,000.00	5,179,216.00
Dealer Tanks Requiring Fire Analysis	917 @ $3,700.00	3,392,900.00
Total Cost		$19,498,816.00

IV. ASSUMPTIONS AND METHODOLOGY

The information utilized in the preparation this fiscal note was obtained from the Missouri LP Propane Gas Association, a cylinder manufacturer, LP Gas equipment dealer and LP Gas retailers and LP Gas Inspection database

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 90—State Board of Cosmetology
Chapter 2—Cosmetology Schools

PROPOSED AMENDMENT

4 CSR 90-2.010 Schools. The board is proposing to amend paragraph (7)(I)3. and section (10).

PURPOSE: This rule is being amended to delete the portion of the rule that requires student kits to contain sterilizing agents. Also, this amendment will require instructor licenses to be posted with a current photograph attached.

(7) Minimum Equipment and Training Supplies. All schools of cosmetology in Missouri shall have on hand and maintain in good working condition at all times the following equipment and training supplies:

(I) Sterilizers.

1. Five (5) large wet sterilizers or individual wet containers in each station of the clinic that are large enough to cover combs and brushes (each shall contain a wet sterilizing agent).

2. Three (3) dry sterilizers or individual dry containers in each station of the clinic that are large enough to hold combs and brushes clear and free of unsterilized items and tools.

3. All kits shall *[contain sterilizing agents]* **be kept clean and remain free of unsterilized items and tools**;

(10) Supervision. Every holder of the license to operate a school shall be responsible to provide continuous and adequate supervision of the school's students by licensed instructors at all times during regular school hours. The holder(s) of the school license shall employ and have present in the school a competent licensed instructor for every twenty-five (25) students enrolled and scheduled to be in attendance for a given class period. **Instructor licenses shall be conspicuously displayed with a photograph taken within the last two (2) years.** Instructor trainees shall not be counted as licensed instructors for purposes of meeting this requirement and under no circumstances shall an instructor trainee be left solely in charge of the school.

*AUTHORITY: sections 329.040 **and** 329.210[, RSMo Supp. 1999 and] **as amended by HB 567 (2001) and** 329.050, 329.120 and 329.230, RSMo [1994] **2000**. This version of rule filed June 26, 1975, effective July 6, 1975. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Nov. 30, 2001.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Board of Cosmetology, Pamela A. Hoelscher, Executive Director, PO Box 1062, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 90—State Board of Cosmetology
Chapter 2—Cosmetology Schools

PROPOSED AMENDMENT

4 CSR 90-2.020 Manicuring Schools. The board is proposing to amend paragraph (3)(G)3.

PURPOSE: This rule is being amended to delete the portion of the rule that requires student kits to contain sterilizing agents.

(3) Minimum equipment and training supplies for manicuring schools shall be—

(G) Sterilizers.

1. Three (3) large wet sterilizers or individual wet containers in each station of the clinic that are large enough to cover all needed implements (each shall contain a wet sterilizing agent).

2. Two (2) individual containers in each station of the clinic that are large enough to cover all needed implements each shall be kept clear and free of unsterilized items and tools.

3. All kits shall *[contain sterilizing agents]* **be kept clean and remain free of unsterilized items and tools**;

*AUTHORITY: sections **329.040 and 329.210 as amended by HB 567 (2001) and** 329.230, RSMo [1994] **2000**. Original rule filed March 9, 1982, effective June 11, 1982. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Nov. 30, 2001.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Board of Cosmetology, Pamela A. Hoelscher, Executive Director, PO Box 1062, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 90—State Board of Cosmetology
Chapter 2—Cosmetology Schools

PROPOSED AMENDMENT

4 CSR 90-2.030 Esthetic Schools. The board is proposing to amend subsection (4)(V).

PURPOSE: This rule is being amended to delete the portion of the rule that requires student kits to contain sterilizing agents.

(4) Minimum Equipment and Training Supplies. Esthetic schools in Missouri shall have on hand and maintain in good working condition at all times the following equipment and training supplies:

(V) Individual student kit materials for each student enrolled which shall include *[sterilizing agent and]* the following materials: skin cleanser, skin freshener, moisturizer foundation (light, medium and dark), concealer (light, medium and dark), blusher, (light, medium and dark), eye liner pencil, liquid or cream mascara, wedge sponges, powder brush, contour brush, applicators, plastic spatulas, and esthetic textbook. **All student kits shall be kept clean and remain free of unsterilized items and tools.**

*AUTHORITY: sections **329.040 and 329.210 as amended by HB 567 (2001) and** 329.230, RSMo [1994] **2000**. Original rule filed Dec. 14, 1995, effective June 30, 1996. Amended: Filed Nov. 30, 2001.*

PUBLIC COST: This proposed amendment will not cost state agencies more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Board of Cosmetology, Pamela A. Hoelscher, Executive Director, PO Box 1062, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 90—State Board of Cosmetology
Chapter 4—Beauty Shops

PROPOSED AMENDMENT

4 CSR 90-4.020 Practice Outside of or Away from Beauty Shops. The board is proposing to amend subsection (3)(A).

PURPOSE: This rule is being amended to delete the portion of the rule that requires kits to contain an active fumigant.

(3) Portable Kit Requirements.

(A) All supplies and implements shall be transported in an air-tight container *[containing an active fumigant,]* and all implements, towels and instruments shall be sterilized and wrapped or stored in individual plastic containers. **All kits shall be kept clean and remain free of unsterilized items and tools.**

*AUTHORITY: sections 329.110.2[, RSMo Supp. 1999] and 329.230, RSMo [1994] **2000, and 329.210 as amended by HB 567 (2001)**. Original rule filed Dec. 7, 1983, effective March 13, 1984. Amended: Filed Aug. 2, 1990, effective Dec. 31, 1990. Rescinded and readopted: Filed March 15, 2000, effective Sept. 30, 2000. Amended: Filed Nov. 30, 2001.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Board of Cosmetology, Pamela A. Hoelscher, Executive Director, PO Box 1062, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 90—State Board of Cosmetology
Chapter 8—Training Hours

PROPOSED AMENDMENT

4 CSR 90-8.010 Hours. The board is proposing to amend subsection (1)(B).

PURPOSE: This rule is being amended to comply with revisions made to section 329.040.3(2), RSMo that became effective with the passage of House Bill 567 of the 91st General Assembly extending the maximum hours accepted for a course of study for students, instructor trainees and apprentices.

(1) Minimum–Maximum Hours Accepted.

(B) All students, instructor trainees and apprentices shall be enrolled in a course of study of no less than three (3) hours per day and no more than *[eight (8)]* **twelve (12)** hours per day with a weekly total that is no less than fifteen (15) hours and no more than *[forty-eight (48)]* **seventy-two (72)** hours.

*AUTHORITY: sections 329.040[,] **and** 329.210**, as amended by HB 567 (2001)** and 329.230, RSMo 2000. This version of rule filed June 26, 1975, effective July 6, 1975. Amended: Filed March 31, 1988, effective June 27, 1988. Amended: Filed Aug. 2, 1990, effective Dec. 31, 1990. Amended: Filed Dec. 14, 1995, effective June 30, 1996. Rescinded and readopted: Filed March 1, 2001, effective Aug. 30, 2001. Amended: Filed Nov. 30, 2001.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Board of Cosmetology, Pamela A. Hoelscher, Executive Director, PO Box 1062, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 90—State Board of Cosmetology
Chapter 12—Instructor Trainees

PROPOSED AMENDMENT

4 CSR 90-12.080 Renewal Requirements for Instructor License. The board is proposing to amend section (2).

PURPOSE: This rule is being amended to require instructors to provide proof of obtaining twelve (12) hours of continued education from a board-approved seminar.

(2) Renewal is contingent upon attending a board-approved seminar and submitting to the board proof of **twelve (12) hours of** attendance issued by seminar sponsors, showing the date and place of the seminar. It is the responsibility of each licensed instructor to attend a board-approved seminar within the two (2) years immediately preceding the renewal date and insure that evidence of attendance accompanies the application for each license renewal.

*AUTHORITY: sections **329.120 and** 329.230, RSMo [1986] **2000 and 320.210 as amended by HB 567 (2001)**. Original rule filed Oct. 11, 1978, effective Jan. 13, 1979. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Nov. 30, 2001.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Board of Cosmetology, Pamela A. Hoelscher, Executive Director, PO Box 1062, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 90—State Board of Cosmetology
Chapter 13—General Rules

PROPOSED RULE

4 CSR 90-13.070 Change of Mailing Address

PURPOSE: This rule requires a license holder to provide the board with a current name and mailing address.

(1) A licensee shall ensure that the office has their current legal name and address.

(A) A licensee whose address has changed shall inform the office of the address change within thirty (30) days of the effective date.

(B) A licensee whose name is changed by marriage or court order shall notify the office in writing within thirty (30) days of the name change and provide a copy of the appropriate documents verifying the name change.

AUTHORITY: sections 320.120 and 329.230, RSMo 2000 and 320.210 as amended by HB 567 (2001). Original rule filed Nov. 30, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars ($500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri State Board of Cosmetology, Pamela A. Hoelscher, Executive Director, PO Box 1062, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the ***Missouri Register****. No public hearing is scheduled.*

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 100—Division of Credit Unions
Chapter 2—State-Chartered Credit Unions

PROPOSED AMENDMENT

4 CSR 100-2.085 Credit Union Service Organization (CUSO). The director of the Division of Credit Unions proposes amending this rule by amending sections (1), (2), (3) and (4), adding a new section (5), amending the current section (5) and renumbering it as section (6), deleting the current section (6) and adding a new section (7), renumbering current sections (7) and (8), as sections (8) and (9) respectively, adding a new subsection (9)(B), deleting current section (9), and adding a new section (10).

PURPOSE: This proposed amendment allows credit unions greater flexibility in structuring and funding CUSOs, offers credit unions the ability to fund CUSOs engaging in a broader range of activities, modifies the restrictions on the CUSO related activities of certain credit union related parties, identifies an appeal process, and provides CUSOs the ability to object to certain items being considered for inclusion in examination reports.

(1) Definition. A credit union service organization (CUSO) is a legal entity established by or funded by one (1) or more credit unions (with or without participation of other parties) to meet the needs of its member credit union**(s)** by providing *[primarily those]* services and performing *[primarily those]* activities that are associated with *[routine]* credit union operations.

(2) Structure. A **credit union can invest in a CUSO, only if the** CUSO *[must be organized]* **is structured** as a corporation**, a limited liability company,** or *[as]* a limited partnership with the credit union participating as a limited partner. *[These forms of organization do not guarantee against potential liability of the participating credit union.]* The credit union must obtain legal advice as to whether the organization and operation of the CUSO is in a manner that meets the goal of limited liability. In general, the corporate form must be adequately capitalized and operated as a separate entity. The limited partnership form must not engage in activities that would cause the limited partnership to be treated as a general partnership. **For purposes of this rule, "corporation" means a legally incorporated corporation as established and maintained under relevant state or federal law.**

(3) Funding. No single credit union's investment**(s)** in *[a]* **and/or loan(s) to any or all** CUSO(s) shall exceed in the aggregate *[one per centum (1%) of the total paid in and unimpaired capital and surplus of the credit union (shares and undivided earnings). The credit union also may lend in the aggregate to the CUSO up to one per centum (1%) of its total paid in and unimpaired capital and surplus.]* **twenty-five percent (25%) of the credit union's net capital (reserves and undivided earnings), unless prior approval is obtained from the director of the Division of Credit Unions.**

(4) Permissible Services and Activities. **A credit union can invest in and/or lend to a CUSO, only if the CUSO complies with all applicable laws and limits its services and activities to the following general categories of services or activities:**

[(A) A CUSO may perform any of the following operational services: credit card and debit card services; automatic teller machine (ATM) services; electronic funds transfer (EFT) services, accounting services, data processing services, sale or lease of computer hardware and software, management and personnel training and support, payment item processing, locator services, marketing services, debt collection services, credit analysis, loan servicing, and coin and currency services.

(B) A CUSO may offer the following financial services: financial planning and counseling, retirement counseling, investment counseling, discount brokerage services, estate planning, income tax preparation, developing and administering individual retirement accounts (IRA), Keogh, deferred compensation and other personnel benefit plans; trust services; acting as trustee, guardian, conservator, estate administrator, or in any other fiduciary capacity; real estate agency services; agent for sale of insurance; personal property leasing; and provision of vehicle warranty programs. A CUSO must comply with applicable state and local laws when engaging in activities or services as listed previously. Any service or activity which is not authorized in the preceding subsection (4)(A) and this subsection must be approved by the director of the Division of Credit Unions before a CUSO may offer that service or activity. Any

request for approval must include a full explanation of the proposed service or activity and how it is associated with routine credit union operations.]

(A) Checking and currency services;
(B) Clerical, professional and management services;
(C) Loan origination;
(D) Electronic transaction services;
(E) Financial counseling services;
(F) Fixed asset services;
(G) Insurance brokerage or agency;
(H) Leasing;
(I) Loan support services;
(J) Record retention, security and disaster recovery services;
(K) Securities brokerage services;
(L) Shared credit union branch (service center) operations;
(M) Travel agency services;
(N) Trust and trust-related services;
(O) Real estate brokerage services; or
(P) Other services or activities approved by the director of the Division of Credit Unions.

(5) In connection with providing a permissible service, a CUSO may invest in a non-CUSO service provider. The amount of the CUSO's investment is limited to the amount necessary to participate in the service provider, or a greater amount if necessary to receive a reduced price for goods or services.

[(5)] **(6)** Prohibited Activities. A CUSO may not acquire control, directly or indirectly, of another **depository** financial institution nor invest in shares, stocks or obligations of an insurance company, trade association, liquidity facility of other similar organization. The credit union will not engage in any activities, contract for or enter into any form or manner of arrangement that will allow the credit union to be committed or potentially committed for an amount in excess of its legally allowed investment in or *[lendings]* **loans** to the CUSO**(s)**.

[(6) Insider Dealings. Individuals who serve as officials of or who are employed by a credit union and immediate family members of those individuals may not receive any salary, commission, investment income or other income or compensation from any CUSO affiliated with their credit union. For purposes of this section, official means any director or committee member and immediate family member means a spouse or a child, parent, grandchild, grandparent, brother or sister or the spouse of any such individual. An affiliated CUSO is one which a credit union invests in or loans to.]

(7) Related Parties.

(A) The officials and senior management employees (and their immediate family members) of a credit union that has outstanding loans or investments in a CUSO must not receive any salary, commission, investment income, or other income or compensation from the CUSO either directly or indirectly, or from any person being served through the CUSO. This provision does not prohibit such credit union officials or senior management employees from assisting in the operation of a CUSO, provided the officials or senior management employees are not compensated by the CUSO. Further, the CUSO may reimburse the credit union for the services provided by such credit union officials and senior management employees only if the account receivable of the credit union due from the CUSO is paid in full at least every one hundred twenty (120) days. For purposes of this section, "official" means affiliated credit union directors or committee members. For purposes of this section, "senior management employee" means affiliated credit union chief executive officer (typically this individual holds the title of President or Treasurer/Manager), any assistant chief executive officers (e.g. Assistant President, Vice President, or Assistant Treasurer/Manager) and the chief financial officer (Comptroller). For purposes of this section, "immediate family member" means a spouse or other family members living in the same household.

(B) The prohibition contained in subsection (A) of this section also applies to credit union employees not otherwise covered if the employees are directly involved in dealing with the CUSO unless the credit union's board of directors determines that the credit union employees' positions do not present a conflict of interest.

(C) All transactions with business associates or family members of credit union officials, senior management employees, and their immediate family members, not specifically prohibited by subsections (A) and (B) of this section must be conducted at arm's length and in the interest of the credit union.

[(7)] **(8)** Accounting.

(A) Credit unions must follow generally accepted accounting principles (GAAP) in their involvement with CUSOs.

(B) Credit unions must obtain, from any CUSO for which the credit union has an outstanding loan or investment, a certified public accountant (C.P.A.) audit on at least an annual basis and financial statements (balance sheet and income statement) on at least a quarterly basis.

(C) A CUSO must agree in writing with its participating credit unions to follow GAAP.

[(8)] **(9)** Director Access to Books and Records.

(A) A CUSO must agree, in writing, with its participating credit unions to provide the director or his/her representative with complete access to any books and records of the CUSO and to make periodic reports in the manner and form deemed necessary by the director in carrying out his/her duties.

(B) Any findings made by the director or his/her representative that are intended for distribution to the CUSO's participating credit unions shall be presented first to the CUSO's board of directors. The CUSO shall be given fifteen (15) days to object in writing, with a detailed explanation, to any information contained in the director's findings that the CUSO reasonably believes could jeopardize its independent relationship with the CUSO's participating credit unions such that the credit unions would be exposed to liability. Such written objections shall be submitted to the director, who shall then make a determination as to the need to amend the findings prior to presenting them to the participating credit unions. The director or his/her representative may make such additional inquiries or investigations as deemed necessary for a determination of the issue.

[(9) Preexisting Credit Union Service Organizations. Any CUSO that was in existence prior to January 26, 1986 and that was legally operating in a manner that, although inconsistent with this rule, may continue operation until January 26, 1987.]

(10) Right to Appeal. In any matter relating to a credit union's interest in a CUSO that requires the director to exercise his or her decision-making authority to approve or deny a credit union's request, the credit union may exercise its right to appeal the director's denial pursuant to the provisions of Chapter 536, RSMo. Such appeal shall be heard pursuant to sections 536.100 to 536.140, RSMo, if such matter is deemed a contested case following a hearing before the division as determined by rules promulgated by the director. If no such hearing is available for review of the director's decision, then

the credit union may seek review pursuant to the remedies afforded in section 536.150, RSMo.

*AUTHORITY: sections 370.070, 370.100, 370.120 [and 370.275, RSMo 1986] and 370.075, RSMo [Supp. 1988] **2000**. Original rule filed Oct. 17, 1985, effective Jan. 26, 1986. Amended: Filed Nov. 30, 2001.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Division of Credit Unions, John P. Smith, Director, PO Box 1607, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 205—Missouri Board of Occupational Therapy
Chapter 1—General Rules

PROPOSED RESCISSION

4 CSR 205-1.030 Policy for Release of Public Records. This rule established the policy regarding the release of information on any meeting, record or vote of the committee.

PURPOSE: This rule is being rescinded to allow the board to adopt an updated administrative policy for better compliance to sections 610.010–610.200, RSMo, the Missouri "Sunshine Law."

AUTHORITY: sections 324.065, RSMo Supp. 1997 and 610.010–610.200, RSMo 1994 and Supp. 1997. Original rule filed Aug. 4, 1998, effective Dec. 30, 1998. Rescinded: Filed Nov. 30, 2001.

PUBLIC COST: The proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: The proposed rescission will not cost private entities more than five hundred dollars ($500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Board of Occupational Therapy, Vanessa Beauchamp, Executive Director, PO Box 1335, Jefferson City, MO 65102-1335. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 205—Missouri Board of Occupational Therapy
Chapter 3—Licensure Requirements

PROPOSED AMENDMENT

4 CSR 205-3.010 Application for Licensure as an Occupational Therapist

*PURPOSE: This amendment deletes the forms that immediately follow this rule in the **Code of State Regulations**.*

*AUTHORITY: sections 324.050, 324.056, 324.065, 324.068, 324.071, 324.083 and 324.086, RSMo [Supp. 1997] **2000**. Original rule filed Aug. 4, 1998, effective Dec. 30, 1998. Amended: Filed Nov. 30, 2001.*

PUBLIC COST: The proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: The proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Occupational Therapy, Vanessa Beauchamp, Executive Director, PO Box 1335, Jefferson City, MO 65102-1335. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 205—Missouri Board of Occupational Therapy
Chapter 3—Licensure Requirements

PROPOSED AMENDMENT

4 CSR 205-3.020 Application for Licensure as an Occupational Therapy Assistant

*PURPOSE: This amendment deletes the forms that immediately follow this rule in the **Code of State Regulations**.*

*AUTHORITY: sections 324.050, 324.056, 324.065, 324.068, 324.071, 324.083 and 324.086, RSMo [Supp. 1997] **2000**. Original rule filed Aug. 4, 1998, effective Dec. 30, 1998. Amended: Filed Nov. 30, 2001.*

PUBLIC COST: The proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: The proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Occupational Therapy, Vanessa Beauchamp, Executive Director, PO Box 1335, Jefferson City, MO 65102-1335. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 220—State Board of Pharmacy
Chapter 2—General Rules

PROPOSED AMENDMENT

4 CSR 220-2.020 Pharmacy Permits. The board is proposing to add a new subsection (9)(J).

PURPOSE: This amendment is to implement section 329.220, RSMo that became effective with the passage of House Bill 567 of the 91st General Assembly and provides a definition of Class J: Shared Service.

(9) The following classes of pharmacy permits or licenses are hereby established:

(J) Class J: Shared Service. A pharmacy that provides services as defined in section 338.010, RSMo, and is involved in the processing of a request from another pharmacy to fill or refill a prescription drug order, or that performs or assists in the performance of functions associated with the dispensing process, drug utilization review (DUR), claims adjudication, refill authorizations and therapeutic interventions.

*AUTHORITY: sections 338.140, **RSMo 2000** and 338.220, [RSMo Supp. 1999] **as amended by HB 567 (2001)** and Omnibus State Reorganization Act of 1974 (Appendix B). Original rule filed July 18, 1962, effective July 28, 1962. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Nov. 30, 2001.*

PUBLIC COST: The proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: The proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Pharmacy, Kevin Kinkade, Executive Director, PO Box 625, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 220—State Board of Pharmacy
Chapter 2—General Rules

PROPOSED RULE

4 CSR 220-2.650 Standards of Operation for a Class J: Shared Services Pharmacy

PURPOSE: The purpose of this rule is to establish minimum standards of operation for Class J: Shared Services Pharmacy, in compliance with House Bill 567 of the 91st General Assembly.

(1) Class J: Shared Services: Shared Service Pharmacy is defined as the processing by a pharmacy of a request from another pharmacy to fill or refill a prescription drug order, or that performs or assists in the performance of functions associated with the dispensing process, drug utilization review (DUR), claims adjudication, refill authorizations, and therapeutic interventions.

(A) A pharmacy may perform or outsource centralized prescription processing services provided the parties:

1. Have the same owner, or have a written contract outlining the services to be provided and the responsibilities and accountabilities of each party in fulfilling the terms of said contract in compliance with federal and state laws and regulations;

2. Maintain separate licenses for each location involved in providing shared services; and

3. Share a common electronic file or have appropriate technology to allow access to sufficient information necessary or required to fill or refill a prescription drug order.

(B) There must be separate and distinct record keeping systems between shared service pharmacies with real-time on-line access to shared services by both pharmacies. Transfer of prescription information between two (2) pharmacies that are accessing the same real-time, on-line database pursuant to the operation of a shared service pharmacy operation shall not be considered a prescription copy and, therefore, is not subject to the requirements of 4 CSR 220-2.120.

(C) The parties performing or contracting for centralized prescription processing services shall maintain a policy and procedures manual and documentation that implementation is occurring in a manner that shall be made available to the board for review upon request and that includes, but is not limited to, the following:

1. A description of how the parties will comply with federal and state laws and regulations;

2. The maintenance of appropriate records to identify the responsible pharmacist(s) in the dispensing and counseling processes;

3. The maintenance of a mechanism for tracking the prescription drug order during each step in the dispensing process;

4. The provision of adequate security to protect the confidentiality and integrity of patient information;

5. The maintenance of a quality assurance program for pharmacy services designed to objectively and systematically monitor and evaluate the quality and appropriateness of patient care, pursue opportunities to improve patient care and resolve identified problems.

(2) Pharmacies that participate in shared services are hereby exempt from the provisions of 4 CSR 220-2.200 Sterile Pharmaceuticals, subsection (4)(D) regarding the delivery of such products directly to the patient.

AUTHORITY: sections 338.140, 338.240, and 338.280, RSMo 2000 and 338.210 and 338.220 as amended by HB 567 (2001). Original rule filed Nov. 30, 2001.

PUBLIC COST: The proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: The proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Pharmacy, Kevin Kinkade, Executive Director, PO Box 625, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 73—Missouri Board of Nursing Home Administrators
Chapter 2—General Rules

PROPOSED AMENDMENT

13 CSR 73-2.015 Fees. The board is amending subsections (1)(C) and (E), and section (2).

PURPOSE: This amendment establishes the dollar amount for the state exam fee and the payee of that fee. It also deletes language referencing the computer administration fee.

(1) The following fees are required by the Board of Nursing Home Administrators:

(C) State Exam Fee *[and computer administration fee for the state exam as fixed by the National Association of Board of Examiners of Long Term Care Administrators;]* **$75.00**
(E) License Renewal Late Penalty Fee
(This fee is in addition to the renewal fee listed in subsection (1)*[(C)]***(D)**) $25.00;

(2) Fees listed in (1)(A) and *[(D)]* **(C)**–(H) must be made payable to the Division of Aging in the form of a cashier's check, company check or money order. Fees listed in (1)(B) *[and (C)]* must be made payable to the National Association of Board of Examiners of Long Term Care Administrators (NAB).

*AUTHORITY: section 344.070, RSMo [Supp. 1998] **2000**. Original rule filed Jan. 3, 1992, effective May 14, 1992. Amended: Filed March 4, 1993, effective Aug. 9, 1993. Emergency amendment filed Nov. 17, 1999, effective Dec. 11, 1999, expired June 7, 2000. Amended: Filed Nov. 1, 1999, effective April 30, 2000. Emergency amendment filed Nov. 30, 2001, effective Jan. 1, 2002, expires June 29, 2002. Amended: Filed Nov. 30, 2001.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Board of Nursing Home Administrators, Diana Love, Executive Secretary, PO Box 1337, 2023 St. Mary's Blvd., Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 73—Board of Nursing Home Administrators
Chapter 2—General Rules

PROPOSED AMENDMENT

13 CSR 73-2.070 Examination. The board is amending sections (2) and (3), moving and renumbering sections (4)–(7) to section (3) subsections (A)–(D), adding a new section 4, and renumbering sections (8)–(11).

PURPOSE: This amendment establishes separate procedures for taking the national exam and the state exam.

(2) The examination**(s)** must be taken within twelve (12) months of the written notice of board evaluation and qualification. Failure to do so will cause full reapplication to be necessary.

(3) Qualified applicants will be eligible to take the national *[and/or state]* examination through the testing service by following the procedures set forth in **sub**sections *[(4)–(7)]* **(A)–(D)** *[of this rule]*.

[(4)] **(A)** Applicants must submit the National Association of Boards of Examiners of Long Term Care Administrators (NAB) Application Form for Computerized Testing**, the Fee Payment Transmittal Form,** and the required fees to the board office. The applicant will receive from the testing service an authorization letter including a list of testing center vendors, each center's toll-free telephone number and instructions on the scheduling process.

[(5)] **(B)** Applicants must schedule to sit the examination within sixty (60) days of the date on the testing service's authorization letter.

[(6)] **(C)** Failure to schedule and sit the examination(s) within the sixty (60)-day period will cause the applicant's name to be removed from the eligibility list kept by the testing service. Applicants may reschedule by resubmitting the NAB Application Forms and paying any required fees.

[(7)] **(D)** Applicants must comply with all criteria and requirements established by the board, the National Association of Board of Examiners of Long Term Care Administrators (NAB), the testing service and the testing center.

(4) Qualified applicants will be eligible to take the state examination administered by the board once a written request and the seventy-five dollars ($75) fee are received by the board. The examination will be scheduled at least monthly if one (1) or more applicants are awaiting examination.

[(8)] **(5)** Individuals making initial application for licensure, within twenty-one (21) days of a board meeting date, may be required to wait until a subsequent date to be evaluated.

[(9)] **(6)** Applicants shall obtain a passing score on the examination(s) administered by the board. The passing score shall be based upon the scale score passing point of one hundred thirteen (113) on the federal portion of the examination and seventy-five percent (75%) on the state portion of the examination.

[(10)] **(7)** If an applicant fails to make a passing grade on one or both of the required examinations, the applicant may make application for reexamination and pay the required fees. If an applicant fails only one of the required examinations and then fails to retake and pass the examination within a twelve (12)-month period, the applicant shall be required to take and pass both examinations before the board will issue the applicant a license.

[(11)] **(8)** If an applicant fails the examination a third time, the applicant must complete a course of instruction prescribed and approved by the board. After completion of the board-prescribed course of instruction, the applicant may reapply for board-approved examination(s). No applicant shall be licensed by the board after a third licensure examination failure unless the applicant successfully completes the board-prescribed course of instruction and passes the board-approved examination(s). With regard to any nationally certified examination required for licensure, no examination scores from other states shall be recognized by the board after the applicant has failed for a third time to pass the examination.

*AUTHORITY: section 344.070, RSMo [Supp. 1998] **2000**. Original rule filed May 13, 1980, effective Aug. 11, 1980. For intervening history, please consult the **Code of State Regulations**. Emergency amendment filed Nov. 30, 2001, effective Jan. 1, 2002, expires June 29, 2002. Amended: Filed Nov. 30, 2001.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Board of Nursing Home Administrators, Diana Love, Executive Secretary, PO Box 1337, 2023 St. Mary's Blvd., Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety (90)-day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 15—Acupuncturist Advisory Committee
Chapter 1—General Rules

ORDER OF RULEMAKING

By the authority vested in the Acupuncturist Advisory Committee under sections 324.481, 324.496, 324.499, 620.010.14(7) and 620.010.15(6), RSMo 2000, the board adopts a rule as follows:

4 CSR 15-1.010 Public Information, Complaint Handling and Disposition **is adopted**.

A notice of the proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 4, 2001 (26 MoReg 1624–1627). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 15—Acupuncturist Advisory Committee
Chapter 1—General Rules

ORDER OF RULEMAKING

By the authority vested in the Acupuncturist Advisory Committee under section 324.481, RSMo 2000, the board adopts a rule as follows:

4 CSR 15-1.020 Acupuncturist Credentials, Name and Address Changes **is adopted**.

A notice of the proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 4, 2001 (26 MoReg 1628–1630). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 15—Acupuncturist Advisory Committee
Chapter 1—General Rules

ORDER OF RULEMAKING

By the authority vested in the Acupuncturist Advisory Committee under sections 324.481, 324.487, 324.490 and 324.493, RSMo 2000, the board adopts a rule as follows:

4 CSR 15-1.030 is adopted.

A notice of the proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 4, 2001 (26 MoReg 1631). The section with changes is reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS AND EXPLANATION OF CHANGE: No comments were received, however, the advisory committee noted that the cost to process a returned check often exceeds the twenty-five dollar ($25) fee in the proposed regulation due to processing the payment through the division, certified mailing and follow-up to insure the payment is received. The advisory committee authorized the following change in the proposed regulation.

4 CSR 15-1.030 Fees

(3) The fees are established as follows:

(D) Insufficient Funds Check Charge Fee	$ 50.00

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 15—Acupuncturist Advisory Committee
Chapter 2—Acupuncturist Licensure Requirements

ORDER OF RULEMAKING

By the authority vested in the Acupuncturist Advisory Committee under sections 324.481, 324.487 and 324.493, RSMo 2000, the board adopts a rule as follows:

4 CSR 15-2.010 Application for Licensure **is adopted**.

A notice of the proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 4, 2001 (26 MoReg 1631–1636). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: One (1) comment was received.

COMMENT: A comment requested clarification concerning mentorships for perspective acupuncturists and whether a mentorship is acceptable to the National Commission for the Certification of Acupuncture and Oriental Medicine (NCCAOM). The same comment requested clarification concerning the availability of a six-month grace period for individuals preparing or applying to take the national test.
RESPONSE: The advisory committee noted that the statute defines what is required for licensure. It may be possible that if the mentorship met the requirements of NCCAOM a person could become a Diplomate of NCCAOM and thus become eligible for licensure. The advisory committee further noted that the statute does not provide the authority for the advisory committee to establish a grace period for individuals to practice acupuncture while preparing for the examination. The law allows a person working within a supervised course of study as a trainee and being supervised by a licensed acupuncturist the individual to be exempt from the licensure requirement.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 15—Acupuncturist Advisory Committee
Chapter 2—Acupuncturist Licensure Requirements

ORDER OF RULEMAKING

By the authority vested in the Acupuncturist Advisory Committee under sections 324.481, 324.490 and 324.496, RSMo 2000, the board adopts a rule as follows:

4 CSR 15-2.020 is adopted.

A notice of the proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 4, 2001 (26 MoReg 1637–1641). The section with changes is reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS AND EXPLANATION OF CHANGE: No comments were received, however, the advisory committee noted that the proposed regulation failed to provide the information relating to continuing education required for reinstating an expired license. The advisory committee authorized the following changes in the proposed regulation:

4 CSR 15-2.020 License Renewal, Restoration and Continuing Education

(4) A person may submit an application to restore a license that has been expired for not more than two (2) years after the expiration date. The application shall be submitted in compliance with 4 CSR 15-2.010, accompanied by the required fee, and shall include documentation of completing continuing education pursuant to 4 CSR 15-2.020(3).

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 15—Acupuncturist Advisory Committee
Chapter 3—Standards of Practice, Code of Ethics, Professional Conduct

ORDER OF RULEMAKING

By the authority vested in the Acupuncturist Advisory Committee under sections 324.481 and 324.496, RSMo 2000, the board adopts a rule as follows:

4 CSR 15-3.010 Standards of Practice **is adopted**.

A notice of the proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 4, 2001 (26 MoReg 1642–1646). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 15—Acupuncturist Advisory Committee
Chapter 3—Standards of Practice, Code of Ethics, Professional Conduct

ORDER OF RULEMAKING

By the authority vested in the Acupuncturist Advisory Committee under sections 324.481 and 324.496, RSMo 2000, the board adopts a rule as follows:

4 CSR 15-3.020 Code of Ethics **is adopted**.

A notice of the proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 4, 2001 (26 MoReg 1647–1649). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 15—Acupuncturist Advisory Committee
Chapter 4—Supervision of Auricular Detox Technicians and Acupuncturist Trainees

ORDER OF RULEMAKING

By the authority vested in the Acupuncturist Advisory Committee under sections 324.475, 324.481 and 324.484, RSMo 2000, the board adopts a rule as follows:

4 CSR 15-4.010 is adopted.

A notice of the proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 4, 2001 (26 MoReg 1650–1652). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: One (1) comment was received.

COMMENT: The comment stated that section (2) requires a supervisor of a detox technician be available during normal business hours. Typically, normal business hours are between 8:00 a.m. and 5:00 p.m. However, detox technicians may provide services in the evening hours and the supervisor must be available for consultation should the need arise. In other words, the regulation needs to reflect accessibility to a supervisor when a detox technician is working not only during normal business hours. The same comment included a reference to (3) and recommended language be added to clarify the total number of hours per month a detox technician must meet with a supervisor and the method of communication when such supervisory meetings are held.

RESPONSE AND EXPLANATION OF CHANGE: The advisory committee noted it intended to require supervision during the time a detox technician is providing services and concurred with the recommendation. Regarding supervision, the advisory committee concurred with the recommendation concerning total hours per month and method of communication and authorized the following changes in the proposed regulation:

4 CSR 15-4.010 Supervision of Auricular Detox Technicians

(2) A licensed acupuncturist shall provide supervision of a technician. For the purpose of this rule, electronic communication is acceptable for supervision if the communication is visually and/or verbally interactive and no more than fifty percent (50%) of the supervision shall be by electronic means.

(A) A licensed acupuncturist shall be available on-site or by telephone or pager when the detox technician is providing services as defined in 4 CSR 15-4.010(1).

(3) Each technician shall meet with the licensed acupuncturist supervisor face-to-face a minimum of two (2) hours per week every two (2) weeks for each detox program utilizing the technician. The technician must obtain at least four (4) hours of face-to-face supervision within a calendar month for each detox program.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 15—Acupuncturist Advisory Committee
Chapter 4—Supervision of Auricular Detox Technicians and Acupuncturist Trainees

ORDER OF RULEMAKING

By the authority vested in the Acupuncturist Advisory Committee under sections 324.481 and 324.487, RSMo 2000, the board adopts a rule as follows:

4 CSR 15-4.020 Supervision of Acupuncturist Trainees **is adopted**.

A notice of the proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 4, 2001 (26 MoReg 1653–1655). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 220—State Board of Pharmacy
Chapter 2—General Rules

ORDER OF RULEMAKING

By the authority vested in the State Board of Pharmacy under sections 338.010, 338.140, 338.240 and 338.280, RSMo 2000, the board amends a rule as follows:

4 CSR 220-2.010 is amended.

A notice of the proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 4, 2001 (26 MoReg 1658–1659). The section with changes to the proposed amendment is reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS AND EXPLANATION OF CHANGE: Comments in support of the proposed amendments were received from the Missouri Alliance for Home Care and the Bureau of Home Care and Rehabilitative Standards during the official comment period. Additionally, supportive comments were also received from the Cameron Community Hospital, Inc. after the official comment period. No opposing comments were received, however, the board elected to take out the word "employee" and specify "licensed nurses," since as it was originally written, it would authorize anyone to possess drugs and that was not the board's intent.

4 CSR 220-2.010 Pharmacy Standards of Operation

(8) A home health or hospice agency licensed or certified according to Chapter 197, RSMo, or any licensed nurses of such agency, may possess drugs in the usual course of business of such agency without being licensed as a pharmacist or a pharmacy.

Title 8—DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
Division 70—Missouri Assistive Technology Advisory Council
Chapter 1—Assistive Technology Programs

ORDER OF RULEMAKING

By the authority vested in the Missouri Assistive Technology Advisory Council, the council amends a rule as follows:

8 CSR 70-1.010 Telecommunications Access Program **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 17, 2001 (26 MoReg 1797–1798). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 30—Director's Office
Chapter 7—Driver and Vehicle Equipment Regulations

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 307.173, RSMo 2000, the director hereby rescinds a rule as follows:

11 CSR 30-7.010 Motor Vehicle Window Tint Permits **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on September 17, 2001 (26 MoReg 1817). No changes have been made in the proposed, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 50—Missouri State Highway Patrol
Chapter 2—Motor Vehicle Inspection Division

ORDER OF RULEMAKING

By the authority vested in the superintendent of the Missouri State Highway Patrol under section 307.360, RSMo 2000, the superintendent hereby amends a rule as follows:

11 CSR 50-2.020 Minimum Inspection Station Requirements **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 17, 2001 (26 MoReg 1817–1818). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 50—Missouri State Highway Patrol
Chapter 2—Motor Vehicle Inspection Division

ORDER OF RULEMAKING

By the authority vested in the superintendent of the Missouri State Highway Patrol under section 307.360, RSMo 2000, the superintendent hereby amends a rule as follows:

11 CSR 50-2.120 MVI-2 Form **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 17, 2001 (26 MoReg 1818). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 50—Missouri State Highway Patrol
Chapter 2—Motor Vehicle Inspection Division

ORDER OF RULEMAKING

By the authority vested in the superintendent of the Missouri State Highway Patrol under section 307.360, RSMo 2000, the superintendent hereby amends a rule as follows:

11 CSR 50-2.270 Glazing (Glass) **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 17, 2001 (26 MoReg 1818–1819). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: Numerous comments were received from individuals whose vehicles were rejected because of previously allowed tinting, inspection stations, window tint shops and the legislature. Most felt that it was the "intent" after the legislative change to grandfather vehicles previously tinted with window tint darker than 35% ± 3% light transmission.
RESPONSE: This issue was brought to the attention of the attorney general's office. It was determined that there was no provision to allow previously installed window tint which is in violation of the current law.

Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 24—Drivers License Bureau Rules

ORDER OF RULEMAKING

By the authority vested in the director of revenue under sections 302.530 and 303.041, RSMo 2000, the director amends a rule as follows:

12 CSR 10-24.030 Hearings **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 4, 2001 (26 MoReg 1677–1678). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 110—Sales/Use Tax—Exemptions

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director adopts a rule as follows:

12 CSR 10-110.600 Electrical Energy **is adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 4, 2001 (26 MoReg 1678–1679). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—Division of Medical Services
Chapter 10—Nursing Home Program

ORDER OF RULEMAKING

By the authority vested in the Department of Social Services, Division of Medical Services under sections 208.153, 208.159 and 208.201, RSMo 2000, the division amends a rule as follows:

13 CSR 70-10.015 Prospective Reimbursement Plan for Nursing Facility Services **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 17, 2001 (26 MoReg 1820–1824). No changes have been made in the text of the proposed amendment, so it is not

reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 20—Division of Environmental Health and Epidemiology
Chapter 3—General Sanitation

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 192.020 and 315.250, RSMo 2000, the department rescinds a rule as follows:

19 CSR 20-3.050 Sanitation of Tourist Courts, Cabins and Resorts **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on August 1, 2001 (26 MoReg 1518). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 20—Division of Environmental Health and Communicable Disease Prevention
Chapter 3—General Sanitation

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 192.006 and 315.005–315.065, RSMo 2000, the department adopts a rule as follows:

19 CSR 20-3.050 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on August 1, 2001 (26 MoReg 1518–1530). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Department of Health received seven letters of comment on this proposed rule. Additionally, the Department noted two additional changes which are reprinted herein.

COMMENT: The Marion County Health Department and Home Health Agency suggested that swimming pools be defined in section (1)(A) Definitions.
RESPONSE: The MO DoH has considered this comment and has decided to make no change in the rule.

COMMENT: The Clay County Health Center suggested that continental breakfast be defined in (1)(A) Definitions.
RESPONSE: The rule already defines continental breakfast in subparagraph (3)(C)3.A.; therefore, no change will be made in the rule.

COMMENT: The Marion County Health Department and Home Health Agency questioned who the administrative authority is if there is no local ordinance.
RESPONSE: The MO DoH reviewed the question and found that administrative authority is defined in the rule, paragraph (1)(A)1. "Administrative authority."

COMMENT: The Clay County Health Center suggested that local food ordinances be included in section (2) Requirements for initial license or renewal of a license on a lodging establishment that has been renovated.
RESPONSE: The section cites address requirements for the physical structure of the establishment, whereas the inclusion of local food ordinances concerns operations of the establishment; therefore, no change will be made in the rule.

COMMENT: The Marion County Health Department and Home Health Agency questioned how complying with DNR laws and regulations regarding trash and backflow apply to certification and licensure of a lodging establishment.
RESPONSE: The MO DoH reviewed this question and found that the State Lodging Law requires all Lodging establishments to comply with all state laws.

COMMENT: Gamble & Schlemeier, Government Consultants, posed two basic questions concerning section (2)(A)4. The first question dealt with the issue of when to apply the swimming pool standards in the renovation of an existing facility. The second question regards why the MO DoH selected the guidelines it did for the rule and why certain portions are apparently repeated in the rule itself.
RESPONSE AND EXPLANATION OF CHANGE: The MO DoH has reviewed both questions and found that the recommended standards for swimming pool design and operation referred to in the rule would apply to a swimming pool only when the swimming pool itself was being renovated. Based on a ruling by the Joint Committee on Administrative Rules, the Department will add the following sentence to subsections (2)(A) and (2)(B): "When an establishment is being renovated only those areas being worked on must meet these requirements." The recommended standards for swimming pool design and operation has been utilized in the inspection of lodging facilities for several years. In addition, Missouri is a member state of the Great Lakes-Upper Mississippi River Board of State and Provincial Public Health and Environmental Health Managers. The regulations proposed in the rule for the operations and design of swimming pools is repeated for the convenience of the public, industry, and local health agencies. In addition, the importance of critical areas of concern in the operation, and/or design of swimming pools is emphasized.

COMMENT: The Marion County Health Department and Home Health Agency questioned when the rule says "comply with Great Lakes Upper Mississippi River Board of State and Provincial Health and Environmental Managers most recent standards for construction of swimming pools and spas," whether this means they can go to MO DoH for information on standards.
RESPONSE: The MO DoH reviewed this comment and decided that what was being asked was whether or not the referenced standard would be available from the MO DoH. The standard referenced in the question may be obtained by contacting Health Education Services, A Division of Health Research Inc., P.O. Box 7126, Albany, New York 12224. Phone number, (518) 439-7286.

COMMENT: The Marion County Health Department and Home Health Agency asked a question concerning section (2)(B)1. regarding whether MO DoH or local agencies would be responsible for initial licensing.

RESPONSE: The MO DoH considered this question and determined that the rule does not change the fact that it is the administrative authority who has jurisdiction over responsibility for approving the license.

COMMENT: The Marion County Health Department and Home Health Agency asked three questions regarding "domestic wells" associated with lodging establishments. They questioned why nitrates were not included in the rule, why domestic wells come under MO DoH jurisdiction, and how MO DoH can mandate MO DNR to authorize the disinfection process.
RESPONSE: The MO DoH considered these questions and determined that: Nitrates have an accumulative effect on an individual and an overnight exposure to nitrates would not have an adverse effect on a transient guest of a lodging establishment; a domestic well is not covered under MO DNR regulation; and the rule requires that only an automatic disinfection system, which has been authorized (approved) by MO DNR, be installed.

COMMENT: The Perry County Health Department suggested a wording change for subparagraph (3)(B)1.A. which would read "3,000 gallons or less" rather than "not less than 3,000 gallons."
RESPONSE AND EXPLANATION OF CHANGE: The MO DoH has considered the comment and will incorporate the wording change into subparagraph (3)(B)1.A.

COMMENT: The Marion County Health Department and Home Health Agency questioned how the three-acre exemption found in RSMo 701.021 impacts on-site sewage systems under 3,000 gallons that are associated with a lodging establishment.
RESPONSE: The MO DoH reviewed this question and concluded that there would be no impact. The three-acre exemption applies only to residential properties and a lodging establishment does not qualify as a residential property.

COMMENT: The Marion County Health Department and Home Health Agency questioned what standard is used to measure contamination of ground and surface water.
RESPONSE: The MO DoH reviewed this question and concluded that sewage contamination of any water could be detected by the presence or absence of fecal coliform in the waters of interest.

COMMENT: The Marion County Health Department and Home Health Agency questioned how part (3)(B)2.B.(IV) would be enforced. Further, the Perry County Health Department commented that part (3)(B)2.B.(IV) was misleading.
RESPONSE AND EXPLANATION OF CHANGE: The MO DoH has considered these comments. Part (3)(B)2.B.(IV) will be removed from subparagraph (3)(B)2.B. and relocated in paragraph (3)(B)3. by adding a new subparagraph (3)(B)3.A. to the rule.

COMMENT: The Perry County Health Department suggested a wording change for section (3)(B)3. to read "more than 3,000 gallons."
RESPONSE AND EXPLANATION OF CHANGE: The MO DoH has considered this comment and will incorporate the wording change into paragraph (3)(B)3.

COMMENT: Gamble & Schlemeier, Government Consultants, commented that they had reviewed long-term care statutes and did not find where cleaning the room on a daily basis is required by law. Therefore, they believe that requiring the cleaning of a lodging room after each guest or at least daily should not be required.
RESPONSE AND EXPLANATION OF CHANGE: The MO DoH has reviewed the comment and subparagraph (3)(C)2.A. of the rule where the requirement is located and has decided to change the rule. Based on a ruling by the Joint Committee on Administrative Rules, the Department will add a sentence to subparagraph (3)(C)2.A.

COMMENT: The Clay County Health Center questioned how often bedspreads need to be washed.
RESPONSE AND EXPLANATION OF CHANGE: The MO DoH has considered this question and determined that bedspreads should be washed often enough so that a clean one is always on the bed. Subparagraph (3)(C)2.C. of the rule will be changed.

MO DOH COMMENT, RESPONSE AND EXPLANATION OF CHANGE: The MO DoH noted that part (3)(C)2.F.(I) references January 1, 2002, as the effective date for compliance with providing only dispensing self-service ice machines for guest use. This date is being changed to adhere to the effective date of this rule.

COMMENT: Gamble & Schlemeier, Government Consultants, referred to part (3)(C)2.G.(I) which requires outdoor trash containers be placed on a hard surface and questioned whether gravel would suffice as a hard surface.
RESPONSE: The MO DoH reviewed the question and determined that the purpose for the hard surface requirement is to restrict, if not eliminate, the burrowing of rats and the harborage of other pests and insects under and around the trash container; therefore gravel would not be included. No change will be made in the rule.

COMMENT: The Marion County Health Department and Home Health Agency questioned why establishments that serve a continental breakfast were exempted from the food code, but then the rule follows with sections that set forth standards for serving a continental breakfast.
RESPONSE: The MO DoH is establishing standards to assure the service of safe and unadulterated continental breakfasts. With standards incorporated within the rule, the public, lodging industry, and administrative authority will use the same source for information, assurance, and enforcement.

COMMENT: Gamble & Schlemeier, Government Consultants, felt that the language in subparagraph (3)(C)3.A. does not allow for prepackaged oatmeal or other types of hot or cold cereal to be served.
RESPONSE: The MO DoH reviewed the comment and found the section does allow for the serving of prepackaged oatmeal or other hot or cold cereals. The section allows the service of prepackaged foods and hot water, milk, or any other liquid a customer may want to use on their prepackaged food. However, the customer is the person to open the package and add whatever topping they desire. There will be no change made in the rule.

COMMENT: The Clay County Health Center felt that the term "all beverages" as used in subparagraph (3)(C)3.D. did not include milk.
RESPONSE AND EXPLANATION OF CHANGE: The MO DoH has considered this comment and will add the word milk to subparagraph (3)(C)3.D. for further clarification.

COMMENT: The Clay County Health Center asked that local food codes be added to subparagraph (3)(C)3.H.
RESPONSE AND EXPLANATION OF CHANGE: The MO DoH has considered this comment and will add local food codes to subparagraph (3)(C)3.H. for clarification.

COMMENT: Gamble & Schlemeier, Government Consultants, cited paragraph (3)(E)1. and expressed reservations about requiring the construction of a new swimming pool be designed by a registered engineer, that it comply with the Great Lakes-Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers Recommended Standards for Design and Operation, and that fact be certified by a contractor, registered engineer, or architect.

RESPONSE AND EXPLANATION OF CHANGE: The MO DoH considered this concern and has decided to change the rule. Based on a ruling by the Joint Committee on Administrative Rules, the Department will add the phrase "a licensed" before "registered engineer" and delete the phrase "the contractor" to paragraph (3)(E)1.

COMMENT: Gamble & Schlemeier, Government Consultants, cited subparagraph (3)(E)2.A. and questioned the purpose of requiring a rope with float keepers to be stretched across the pool where the depth exceeds 5 feet. They linked this concern with the safety of a child and that 5 feet is over the head of a 4 foot child.

RESPONSE AND EXPLANATION OF CHANGE: The MO DoH reviewed the section and found that the rule requires a boundary line between the shallow (five feet (5') or less in depth) and deep areas (greater than five feet (5') in depth) be marked by a safety rope and floats equipped with float keepers. The requirement is one of safety for all persons, not children alone. Most pools are constructed with an abrupt change in the depth of the pool at or around 5 feet. The presence of the safety rope alerts all swimmers of a drop off and provides a handhold for anyone surprised by the sudden change in depth. However, a close reading of the rule does not make the intent clear. The wording for subparagraph (3)(E)2.A. will be changed.

COMMENT: The Marion County Health Department and Home Health Agency pointed out that the rule referred to Table 1, however, Table 1 was not included in the rule that was published.

RESPONSE AND EXPLANATION OF CHANGE: The MO DoH reviewed the rule as published and found that Table 1 was included in the publication, however, it had not been labeled as Table 1. This will be corrected (see attachment).

COMMENT: The Marion County Health Department and Home Health Agency questioned whether existing inside pools would comply with part (3)(E)2.E.(I) which requires a swimming pool to be protected by a fence, wall, building, or other enclosure.

RESPONSE: The MO DoH reviewed this question and concluded that they would comply since they would be located inside a building.

COMMENT: Gamble & Schlemeier, Government Consultants, commented on part (3)(E)2.E.(V) which requires a lifeguard be present if the swimming pool is 2,000 square feet or larger. They stated that they were unaware of any increased injury rate at hotel pools over 2,000 square feet than pools under 2,000 square feet; therefore, they requested that this requirement not be included in the Final Order.

RESPONSE: The MO DoH reviewed this request and has determined not to change the rule. Drownings are the greatest concern the MO DoH has regarding accidents around a pool. Several drownings occur each year in swimming pools associated with lodging facilities. The size of the pool has little to do with a person drowning, however, the size plays a role when it comes to persons at poolside attempting a rescue. Throwing devices and shepherds hooks are not very effective in a large pool when attempting to assist someone in the middle of the pool compared to assisting someone in a small pool. Therefore, the requirement for a lifeguard at pools with a surface area greater than 2,000 square feet is justified.

MO DOH COMMENT, RESPONSE AND EXPLANATION OF CHANGE: The MO DoH noted that the title for (3)(E)2.G. was misleading and misplaced. The actual section was located further down in the rule. It was inserted between what was (3)(E)2.G.(III) and (IV). This change will add (3)(E)2.G.(I), (II), (III) to (3)(E)2.F. and become (3)(E)2.F.(II), (III), (IV) respectively. (3)(E)2.G.(IV), (V), (VI), and (VII) will become (3)(E)2.G.(I), (II), (III), and (IV) respectively. Additionally, the title for (3)(E)2.G. has been changed.

COMMENT: Gamble & Schlemeier, Government Consultants, commented part (3)(E)2.G.(I) establishes standards for the disinfection of pool water. They mentioned that some of the newer hotels have a method of ozone cleaning that is used to disinfect pool water, and they believe this technology should be allowed by the rule.

RESPONSE: The MO DoH has reviewed this section and found that the section does not preclude a lodging facility from using an alternative method of disinfection. However, the system does have to be approved by the administrative authority after it has been demonstrated that the alternative system provides a satisfactory residual that is easily measured and is operated according to the manufacturers specifications. No change will be made in the rule.

COMMENT: The Adair County Health Department stated that item (3)(E)2.G.(I)(a)I. is not adequate to protect the public's health when cyuranic acid is used as a disinfectant in a swimming pool.

RESPONSE: The MO DoH has considered this comment and has decided not to change the rule. The section cited by Adair County Health Department applies only when chlorine is the disinfectant of choice. The use of cyuranic acid is regulated under item (3)(E)2.G.(I)(a)II. and the *Great Lakes-Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers*.

COMMENT: The Clay County Health Center commented that a DPD type test kit be required in subpart (3)(E)2.G.(II)(a).

RESPONSE: The MO DoH has reviewed the comment and will not make a change. The wording in the section is inclusive of all types of test kits.

COMMENT: The Clay County Health Center suggested that the size of the holes in swimming pool drain covers be specified.

RESPONSE AND EXPLANATION OF CHANGE: The MO DoH has reviewed this comment and agrees. The hole size shall not be over one-half (1/2") inch wide. This requirement will be placed in subpart (3)(E)2.G.(III)(d).

COMMENT: Gamble & Schlemeier, Government Consultants, commented that subpart (3)(E)2.G.(III)(h), which establishes record-keeping requirements, is not needed. They felt many of the items mentioned in the rule to be recorded were too difficult to measure. They stated this provision dramatically raises the fiscal note.

RESPONSE AND EXPLANATION OF CHANGE: The MO DoH considered this comment and decided to change the rule. Based on a ruling by the Joint Committee on Administrative Rules, the Department will delete the phrase "number of patrons and personal accidents" and replace with "amount of make-up water, and reported accidents requiring medical attention. A sign-in sheet shall be available for patrons wishing to use the pool." to subpart (3)(E)2.G.(III)(h).

COMMENT: The Marion County Health Department and Home Health Agency questioned how often the lodging establishment needs to record the date, time, and residual concentration of chemicals used in a pool.

RESPONSE: The MO DoH reviewed the rule and noted that the rule requires daily recording of the information listed in the question.

COMMENT: The Clay County Health Center suggested that pump and storage rooms also be ventilated.

RESPONSE AND EXPLANATION OF CHANGE: The MO DoH has reviewed this comment and will include pump and storage rooms in subpart (3)(E)2.G.(III)(j).

COMMENT: The Clay County Health Center suggested that the pool capacity be posted.
RESPONSE: The MO DoH has reviewed this comment and has decided not to change the rule. No justification to impose this requirement was apparent.

COMMENT: The Marion County Health Department and Home Health Agency questioned whether the MO DoH wanted lodging establishments using chlorine in spas.
RESPONSE: The MO DoH has considered this question and has determined that a disinfectant should be present in spas used by the public. The rule specifies in subpart (3)(E)2.G.(IV)(d) that disinfectant feeders should be capable of supplying 20 parts per million chlorine or its equivalent.

COMMENT: Gamble & Schlemeier, Government Consultants, referenced subpart (3)(E)2.G.(IV)(f) where the rule specifies precautionary signage for spa usage. They stated that they were unclear as to why this exact wording needed to be used and the reason for a ten-minute limitation.
RESPONSE AND EXPLANATION OF CHANGE: The MO DoH considered this comment and agrees to the comment that the exact wording is not necessary, only the substance of the precautionary signage is important. Therefore, the rule will be changed to allow for alternate wording, yet still will require the same precautionary information. The time limitation warning is specified for health and safety reasons. A person should not stay in water that is extremely hot for long periods of time. Many spas operate at or near 100 degrees Fahrenheit, a temperature that should not be tolerated more than 10 to 15 minutes. After being exposed to hot water for that period of time, a person should remove themselves and cool down before returning to the hot water. The wording is changed for subpart (3)(E)2.G.(IV)(f).

COMMENT: The Marion County Health Department and Home Health Agency asked a question in light of subparagraph (3)(F)1.C. regarding whether a registered engineer was the best person to certify electrical safety.
RESPONSE: The MO DoH reviewed the question asked and has determined that a registered engineer is the best person to certify a lodging facility for building safety.

COMMENT: The Marion County Health Department and Home Health Agency questioned who would or could test for leaks of LP gas systems.
RESPONSE: The MO DoH considered this question and concluded that the vendors of LP gas could conduct the testing as well as plumbers and the owners.

COMMENT: Gamble & Schlemeier, Government Consultants, questioned why part (3)(F)2.I.(I) limits the length of an extension cord to six feet (6'), and they recommend that we remove the requirement.
RESPONSE: The MO DoH has considered the recommendation and has decided not to change the rule. Use of extension cords has long been a fire and safety concern. The *National Electrical Code* has required electrical outlet boxes be located in such a manner as not to require an electrical fixture to need more than a six foot cord. Extension cords pose not only a fire hazard, but may also present a tripping hazard.

COMMENT: The Marion County Health Department and Home Health Agency cited part (3)(F)3.A.(VI) which requires all facilities to comply with local codes and ordinances and questioned whether this applies to existing facilities.
RESPONSE: The MO DoH reviewed this question and concluded that since this section of the rule reinforces the state lodging law concerning compliance with all local codes and ordinances, it does apply to existing lodging facilities.

COMMENT: Gamble & Schlemeier, Government Consultants, commented that part (3)(F)3.B.(III) appears to require a secondary means of egress be provided for rooms at dead end corridors, and recommended that existing structures be exempted from the rule.
RESPONSE: The MO DoH studied this comment and has decided not to change the rule. A close reading of the rule does not indicate any hardship for rooms at the end of a dead end corridor. The rule provides for exiting from a dead end room through a window to a balcony or fire fighting apparatus as approved by the local fire marshal.

COMMENT: The Bed and Breakfast Inns of Missouri recommended that the exemption granted in part (3)(F)3.C.(I) be extended to part (3)(F)3.C.(II).
RESPONSE AND EXPLANATION OF CHANGE: The MO DoH has considered the recommendation and decided to extend the exemption to part (3)(F)3.C.(II).

COMMENT: The Bed and Breakfast Inns of Missouri expressed concern for what they felt was an ambiguity regarding what constitutes a fire alarm system. They believed that the reference to manual fire alarm pull stations in part (3)(F)3.E.(I)(a) may cause confusion.
RESPONSE AND EXPLANATION OF CHANGE: The MO DoH has considered this comment and believes that if subparts (3)(F)3.E.(I)(a)–(e) is read in its entirety, there is no ambiguity. The MO DoH, however, will change the first word of subpart (3)(F)3.E.(I)(a) from "where" to "when" to provide some additional clarity.

COMMENT: Gamble & Schlemeier, Government Consultants, commented that subpart (3)(F)3.E.(I)(e), which requires that smoke and carbon monoxide detectors be interconnected by the year 2005, is costly and arbitrary and should be for new or renovated facilities.
RESPONSE AND EXPLANATION OF CHANGE: The MO DoH has considered this comment and concedes that the rule may be somewhat arbitrary. However, it is believed that when the state legislature passed the lodging law charging the MO DoH with assuring "lodging establishments be in accordance with the applicable code," they expected the MO DoH to follow national codes. National fire codes presently require that smoke and carbon monoxide detectors be hardwired together for dependability. A loose network of battery-operated detectors has proven to be unreliable. It is acknowledged that for some establishments to convert from a battery network to hardwire system may take time, therefore, the date of compliance will be changed from 2005 to 2007 for subpart (3)(F)3.E.(I)(e).

COMMENT: Gamble & Schlemeier, Government Consultants, commented on part (3)(F)3.E.(III) which requires all buildings be protected throughout by an approved, supervised sprinkler system. They requested that an exemption to this rule be granted to all existing facilities.
RESPONSE AND EXPLANATION OF CHANGE: The MO DoH has considered this comment and has decided to change subpart (3)(F)3.E.(III)(b) to exempt existing facilities from requirement to provide an automatic sprinkler system.

COMMENT: The Bed and Breakfast Inns of Missouri expressed concern over large solid wood doors built prior to the establishment of fire ratings, meeting the 20-minute fire rating requirement.

RESPONSE AND EXPLANATION OF CHANGE: The MO DoH has considered this comment and will change part (3)(F)3.F.(I) of the rule to allow for local or state fire marshals to accept these doors in lieu of a 20-minute fire rated door.

COMMENT: The Bed and Breakfast Inns of Missouri stated that the private entity cost did not take into consideration the cost of modification necessary to bring existing facilities into compliance with the proposed rule.
RESPONSE: The MO DoH has reviewed the comment and believes that the private entity cost has considered all costs attributable to the rule. The rule excludes existing facilities from all major modifications. The proposed rule covers the lodging establishment guidelines that have been used by the MO DoH in its annual inspections and license approvals for several years. The industry is not being asked to adhere to unfamiliar standards.

19 CSR 20-3.050 Sanitation and Safety Standards for Lodging Establishments

(2) Requirements for initial license or renewal of a license on a lodging establishment that has been renovated.

(A) Lodging establishments located within jurisdictions regulated by local ordinances and regulations shall be erected, renovated and maintained in compliance with such ordinances and regulations. Such lodging establishments must comply with the following requirements before a license may be issued. When an establishment is being renovated only those areas being worked on must meet these requirements.

1. Present an occupancy permit issued by the regulating jurisdiction.

2. Comply with the Missouri Department of Natural Resources laws and regulations regarding, but not limited to:

A. Sewage treatment;

B. Drinking water;

C. Trash disposal;

D. Backflow.

3. Comply with the Missouri Department of Health laws and regulations regarding lodging establishments.

4. Comply with Great Lakes Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers most recent standards for construction of swimming pools and spas.

(B) Lodging establishments located in areas outside of jurisdictions regulated by local ordinances and regulations shall comply with the following requirements before a state lodging license may be issued. When an establishment is being renovated only those areas being worked on must meet these requirements.

1. Must certify to the Missouri Department of Health that the establishment has been erected or renovated in accordance with the latest national standards for life safety, structural, electrical, plumbing, mechanical and architectural elements of the establishment to be licensed. Certification to these facts will be accepted from a registered professional engineer, registered architect, or the general contractor responsible for the construction of the establishment being licensed.

2. Comply with the Missouri Department of Natural Resources laws and regulations regarding, but not limited to:

A. Sewage treatment;

B. Drinking water;

C. Trash disposal;

D. Backflow.

3. Comply with the Missouri Department of Health laws and regulations regarding lodging establishments.

4. Comply with Great Lakes Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers most recent standards for construction of swimming pools and spas.

5. Comply with the Missouri Department of Public Safety's laws and regulations that relate to pressure vessels.

(3) Requirements for Operating a Lodging Establishment.

(B) Wastewater Handling. Sewage and wastewater treatment and disposal systems which serve lodging establishments:

1. On-site sewage treatment and disposal systems:

A. On-site systems which generate three thousand (3,000) gallons or less of wastewater per day and that are maintained in a subsurface treatment and disposal system shall come under MO DoH jurisdiction. Any on-site system built after January 1, 1996 shall be constructed according to 19 CSR 20-3.060 "Minimum Construction Standards for On-Site Sewage Disposal Systems";

2. Existing on-site systems regulated by MO DoH:

A. On-site systems installed prior to January 1, 1996, operating satisfactorily.

B. Upon completion of a visual inspection, the following conditions shall exist:

(I) No surfacing or discharging of effluent;

(II) No production of odors or the creation of a habitat for insect breeding, (i.e. mosquitoes, flies, etc.);

(III) No contamination of surface water or groundwater.

C. Malfunctioning systems shall be renovated according to 19 CSR 20-3.060 "Minimum Construction Standards for On-Site Sewage Disposal Systems."

3. Existing or proposed on-site systems which generate more than three thousand (>3,000) gallons of daily effluent flow or connected into waste stabilization ponds, extended aeration package treatment plants, and other alternative systems which discharge shall have a National Pollutant Discharge Elimination System (NPDES) Permit or a General Permit issued by the MO DNR. (A current copy of the MO DNR NPDES permit or a general permit must be provided to the administrative authority.)

A. Existing on-site systems regulated by the MO DNR and possess a discharge permit shall:

(I) Not produce orders or create a habitat for insect breeding, (i.e., mosquitoes, flies, etc.);

(II) Not have tall weeds or trees growing on or in a lagoon or its berm.

(C) Sanitation/Housekeeping. Lodging establishments shall be kept in a clean and sanitary condition; in good repair, and shall be maintained and operated with strict regard to health and safety of the patrons. The following items shall be held in compliance:

1. Walls, floors and ceilings of guest rooms shall be kept clean and in good repair. Furnishings, including draperies, beds, furniture and lamps, shall be kept clean and in good repair.

2. Clean and proper housekeeping shall be employed in guest rooms and related facilities.

A. A room in use shall be cleaned each time different guest rents the room, but in any event not less than every other day.

B. Towels and washcloths that have been cleaned shall be provided in the guest room each day that guest room is occupied by a different guest.

C. Bed linens that have been cleaned shall be provided in the guest room each day that guest room is occupied by a different guest. Bedspreads shall be clean and maintained in good repair. If a room is continuously occupied by the same guest, bed linens shall be changed at least weekly.

D. Mattresses and boxsprings shall be clean and in good repair. The sleeping surfaces of a mattress in use shall be completely covered by a sheet. Excessively damaged or soiled mattresses and/or boxsprings shall be replaced.

E. Rodents and insects shall be controlled at all times. If rodenticides and/or pesticides are stored and/or used on the premises, they shall be stored away from areas containing food, and not accessible to guests.

F. Ice provided for the use of guests and patrons shall be made from a potable water supply approved by the Department of Health or Department of Natural Resources. The ice shall be protected from contamination which shall include the following:

(I) Ice machines, dispensers or chests shall be sheltered from the weather, kept in good repair and the ice compartment shall be kept clean and free of mold, rust, debris, foreign objects or other contaminants. Establishments licensed after the effective date of this rule shall provide only dispensing self-service ice machines for guest use. Any establishment licensed before the effective date of this rule that replaces or adds a new self-service ice machine for guest use shall only provide a dispensing type self-service ice machine.

(II) An approved scoop with a handle that is seamless and without cracks shall be provided for each bin-type ice machine or chest. The scoop may be stored in a holster in the ice compartment, in a smooth non-absorbent holder outside the ice machine or chest, or in another manner acceptable to the Department of Health.

(III) Individual ice buckets or containers, if provided, shall be kept clean, in good repair, and constructed of a smooth non-absorbent food grade material. Ice buckets or containers shall be washed, rinsed and sanitized as described in paragraph (3)(C)3.J.(I)(a)–(b) of this rule, or shall be provided with a food-grade single service liner. Re-use of the food-grade single service liner is forbidden.

G. The guest rooms, buildings and premises shall be kept neat and free of refuse and debris. Guest room trash containers shall be emptied daily.

(I) Garbage and refuse shall be stored in a covered durable, leak-proof, and vermin-proof, non-absorbent container. Outdoor trash containers shall be stored on a smooth, hard surface such as concrete or machine-laid asphalt that is sloped to drain. Garbage and refuse shall be disposed of on a routine basis.

(II) Plant growth shall be controlled by cutting/trimming in a manner that prevents/eliminates harborage (cover) for pests such as rodents, vermin, reptiles and other small animals within close proximity to the lodging establishment and its attendant facilities.

(III) Items which create a harborage for insects or vermin, or create a health or safety hazard shall be removed.

3. Lodging establishments that prepare or serve food, except those serving only continental breakfasts or similar repasts shall comply with current Missouri Department of Health regulations governing food establishments. Lodging establishments that offer only continental breakfasts or similar repasts to their guests shall conform strictly to the following rules.

A. Continental breakfast shall be defined as consisting of prepackaged foods, brewed/prepared non-alcoholic beverages, and foods not needing additional preparation before service to the public.

B. Food shall be of sound condition, free from spoilage, filth or other contamination and shall be safe for human consumption. Food shall be obtained from sources approved or considered satisfactory by the Department of Health.

C. Food offered to the public for continental breakfast shall be protected from consumer contamination by the use of packaging or by the use of an easily cleanable counter serving line with "sneeze guards," display cases, or by other effective means.

D. All beverages including milk shall be offered in either single-service containers or dispensed from covered containers to prevent contamination of drinks that are offered to the general public. Leftover beverages other than from unopened single-service or bulk dispensers shall be discarded.

E. Food serving areas and food contact surfaces shall be smooth, free of breaks, open seams, cracks, chips, and similar imperfections. Food shall be presented in such a way as to be protected from cross-contamination.

F. Once served to a consumer, portions of leftover food and beverages shall not be served again. Exception—packaged food that is still in the package and in sound condition may be reserved.

G. Condiments provided for table or counter service shall be individually portioned. Sugar and sweetener for consumer use shall be provided in individual packages or in covered pour-type dispensers.

H. Potentially hazardous foods shall be held at temperatures according to current food regulations of the Missouri Department of Health, or local food codes.

I. To avoid unnecessary manual contact with food, suitable dispensing utensils or items shall be provided to consumers who serve themselves. Between uses during service, dispensing utensils shall be stored in the food with the dispensing utensil's handle extended out of the food, or stored clean and dry.

(I) Single-service articles shall be handled and dispensed in a manner that prevents contamination of surfaces which may come into contact with food or with the mouth of the user.

(II) Reuse of single-service items is prohibited.

(III) Reuse of soiled tableware for additional food is prohibited.

(IV) Tableware offered for guest use for continental breakfasts may be either reusable utensils or single-service articles. All utensils not intended for single service use shall be washed, rinsed and sanitized as per paragraph (3)(C)3.J.(I)(a)–(b) of this rule.

(V) A convenient handwashing facility shall be available for attendants of the continental breakfast.

J. Drinking glasses or utensils provided to rooms shall be single-service items, or if reusable glasses or coffeepots are offered, these shall be clean, sanitary and conform to the following practices:

(I) Prior to placement in the guest room, reusable drinking glasses and utensils shall be washed, rinsed and sanitized in either of the methods below. After sanitization, all drinking glasses and utensils shall be air-dried and protected from subsequent contamination. Sanitization is to be accomplished by one of the following methods.

(a) A clean three (3)-vat sink may be used with glasses washed in a clean, hot detergent solution in the first vat, rinsed in clean water in the second vat, and sanitized in the third vat. This dishwashing facility shall be so located as to be protected from possible outside sources of biological or chemical contamination. Sanitization is to be accomplished by one of the following methods:

I. Sanitized by immersion for at least one-half (1/2) minute in clean, hot water at a temperature of at least one hundred seventy degrees Fahrenheit (170°F).

II. Immersed for at least ten (10) seconds in a clean solution containing at least fifty (50) parts per million of available chlorine as a hypochlorite and at a temperature of at least one hundred degrees Fahrenheit (100°F).

III. Immersed for at least thirty (30) seconds in a clean solution containing between twelve and one-half (12.5) and twenty-five (25) parts per million of available iodine and having a pH not higher than five (5.0) and at a temperature of at least seventy-five degrees Fahrenheit (75°F).

IV. Immersed in a clean solution containing any other chemical sanitizing agent recognized by the regulating authority as effective and that will provide the equivalent bactericidal effect of a solution containing at least fifty (50) parts per million of available chlorine as a hypochlorite at a temperature of at least one hundred degrees Fahrenheit (100°F) for ten (10) seconds.

(b) Cleaning and sanitizing may be done by spray-type or immersion dishwashing machines or by any other type of machine or device if it is demonstrated that it thoroughly cleans and sanitizes equipment and utensils. These machines and devices shall be so installed to be protected from possible outside sources

of biological or chemical contamination, and maintained in good repair. Machines and devices shall be operated in accordance with manufacturers' instructions, and utensils and equipment placed in the machine shall be exposed to all dishwashing cycles. Automatic detergent dispensers, wetting agent dispensers, and liquid sanitizer injectors, if any, shall be properly installed and maintained.

I. Single-tank, stationary-rack and door-type machines and spray-type glass washers using chemicals for sanitization may be used if the following requirements are met:

a. The temperature of the wash water shall not be less than one hundred twenty degrees Fahrenheit (120°F);

b. The wash water shall be kept clean;

c. Chemicals added for sanitization purposes shall be automatically dispensed;

d. Glasses and utensils shall be exposed to the final chemical sanitizing rinse in accordance with manufacturers' specifications for time and concentration;

e. The chemical sanitizing rinse water temperature shall not be less than seventy-five degrees Fahrenheit (75°F) nor less than the temperature specified by the machine's manufacturer;

f. Chemical sanitizers used shall meet the requirements of the regulating authority; and

g. A test kit or other device that accurately measures the parts per million concentration of the solution shall be available and used.

II. Machines using hot water for sanitizing may be used if wash water and pumped rinse water is kept clean and if water is maintained at not less than these temperatures.

a. Single-tank, stationary-rack, dual-temperature machine—wash temperature, one hundred fifty degrees Fahrenheit (150°F), and final rinse temperature, one hundred eighty degrees Fahrenheit (180°F).

b. Single-tank, stationary-rack, single temperature machine—wash temperature and final rinse temperature one hundred sixty-five degrees Fahrenheit (165°F).

c. Single-tank, conveyor machine—wash temperature, one hundred sixty degrees Fahrenheit (160°F) and final rinse temperature, one hundred eighty degrees Fahrenheit (180°F).

d. Multi-tank, conveyor machine—wash temperature one hundred fifty degrees Fahrenheit (150°F), pumped rinse temperature, one hundred sixty degrees Fahrenheit (160°F), and final rinse temperature, one hundred eighty degrees Fahrenheit (180°F).

e. Single-tank, pot, pan, and utensil washer (either stationary or moving-rack)—wash temperature, one hundred forty degrees Fahrenheit (140°F) and final rinse temperature, one hundred eighty degrees Fahrenheit (180°F).

4. During all working periods of food service, employees shall observe good hygienic practices. Employees shall thoroughly wash their hands and the exposed portions of their arms with soap and warm water before starting work, during work and as often as is necessary to keep them clean and after using the toilet, smoking, eating or drinking.

(E) Swimming Pools/Spas. Construction, maintenance and operation of swimming pools, spas, and other bathing facilities shall be in accordance with the requirements listed below:

1. New swimming pools shall be designed by a licensed registered engineer. The design developed by the engineer must comply with the *Great Lakes Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers* which is incorporated by reference in this rule, and that fact shall be certified by a licensed registered engineer, or architect;

2. Requirements regarding design, detail and structural stability of existing swimming pools are as follows:

A. The boundary line between the shallow (five feet (5') or less in depth) or the deep (greater than five feet (5') in depth) areas shall be marked by a line of contrasting color on the floor and walls of the pool, and by a safety rope and floats equipped with float keepers;

B. Diving boards, if provided, shall conform to the criteria listed in Table 1, which is included herein. Further, there shall be a completely unobstructed clear distance of sixteen feet (16') above the diving board measured from the center of the front end of the board. This area shall extend at least eight feet (8') to each side, and sixteen feet (16') ahead of the measuring point.

C. Slides for use in swimming pools shall conform to general requirements of part 1207.3 to 1207.5 of the Consumer Product Safety Act;

D. Steps, ladders or stairs shall be provided at the shallow end, and steps or ladders shall be provided in the deep portion. If the pool is over thirty feet (30') wide, such steps, ladders or stairs shall be installed on each side.

(I) Pool ladders, stairs, and steps shall be easily cleanable, corrosion-resistant and equipped with non-slip treads. All ladders shall be so designed as to provide a handhold. Where stairs, steps or ladders are provided, there shall be a handrail at the top of each side thereof extending over the coping of the edge of the deck.

E. General safety requirements are as follows:

(I) Swimming pools shall be protected by a fence, wall, building or other enclosure that is at least four feet (4') in height. The enclosure shall be made of a durable material. Artificial barriers shall be constructed so as to afford no external handholds, footholds, or opening large enough to allow a toddler to pass through, be equipped with a self-closing and positive self-latching closure mechanism on gates. The latch shall be installed as high as possible, located inside the gate. All natural barriers, hedges, pool covers, or other protective devices must be approved by the administrative authority;

(II) Depth of water shall be plainly marked with four inch (4")-high black numbers at or above the water surface on the vertical pool wall and on the edge of the deck, at maximum and minimum points of break between the deep and shallow portions, and at intermediate increments of depth, spaced at not more than twenty-five foot (25') intervals measured peripherally. Markings shall be on both sides and ends of the pool. Where depth markings cannot be placed on the vertical walls above the water level, other means shall be used so that the markings will be plainly visible to persons in the pool;

(III) Pool ladders, stairs, and steps shall be maintained in good repair at all times;

(IV) One unit of lifesaving equipment consisting of both a throwable device and a reaching device shall be provided for each two thousand (2,000) square feet of water surface area. Lifesaving equipment shall be mounted in conspicuous places, distributed around the swimming pool deck. Lifesaving equipment shall be kept in good repair and ready condition. It shall be kept in an established location and shall be used only for its intended purpose. Minimum lifesaving equipment shall consist of the following:

(a) Throwable devices: A U.S. Coast Guard approved device, fitted with a one quarter inch (1/4") diameter line with a length of 1.5 times the maximum width of the pool or fifty feet (50'), whichever is greater;

(b) Reaching devices: A life pole or shepherd's crook type of pole, having blunted ends with minimum length of twelve feet (12');

(V) Whenever the pool area is less than two thousand (2,000) square feet and is opened for use and no lifeguard service is provided, warning signs shall be placed in plain view of the entrances and inside the pool area which state "WARNING—NO LIFEGUARD ON DUTY" with plainly legible letters. Swimming pools having an area two thousand (2,000) square feet of water surface or greater shall have a certified lifeguard present at all times

the pool is available for use. In pools with two thousand (2,000) square feet or more of water surface area, one (1) additional certified lifeguard shall be provided for each additional two thousand (2,000) square feet;

(VI) A first aid kit must be readily available for pool use at all times;

(VII) No glass containers shall be used in the pool area;

F. Lighting and electrical requirements are as follows:

(I) Artificial lighting shall be provided at all swimming pools which are to be used at night or which do not have adequate natural lighting so that all portions of the pool, including the bottom, may be readily seen without glare.

(a) All lighting shall be maintained in good repair at all times; and

(II) Receptacles on the property shall be located at least ten feet (10') from the inside walls of a pool. However, one (1) receptacle that provides power for a recirculating pump motor for a permanently installed pool, shall be permitted not less than five feet (5') from the inside walls of the pool provided the receptacle is single, of the locking and grounding types and protected by a ground-fault circuit-interrupter. All receptacles located within twenty feet (20') of the inside walls of a pool shall be protected by a ground-fault circuit-interrupter;

(III) Switching devices on the property shall be located at least five feet (5') from the inside walls of a pool unless separated from the pool by a solid fence, wall or other permanent barrier;

(IV) Only utility-owned, operated and maintained supply lines or service drops may be allowed to pass over swimming pool areas in accordance with Table 2, which is included herein. Utility-owned, operated and maintained communication lines (i.e. telephone, cable TV) shall be permitted to pass over swimming pool areas if at a height of no less than ten feet (10') above the area except over the existing diving board;

G. Requirements for the recirculation system and water quality are as follows:

(I) The recirculation system shall comply with the following requirements:

(a) Swimming pools shall be designed to provide for continuous disinfection of the pool water with a chemical which is an effective disinfectant and which imparts an easily measurable, active residual. The disinfecting materials and methods shall not be dangerous to public health, create objectionable physiological effects, or impart toxic properties to the water. An automatic disinfection feeder which is easily adjustable shall be provided for the continuous application of disinfectant at a rate supplying disinfectant to the pool in the range at recommended levels.

I. When chlorine is the disinfectant, a free chlorine residual of at least one (1.0 ppm) shall be maintained throughout the pool.

II. Other disinfecting materials or methods are subject to approval of the administrative authority and may be used when it has been demonstrated that they provide a satisfactory residual which is easily measured and is operated according to the manufacturer's specifications;

(b) The recirculation system serving the pool shall operate in accordance with manufacturer's criteria or other engineering criteria;

(II) Swimming pools shall meet the following requirements regarding water quality:

(a) An appropriate test kit shall be provided and capable of properly measuring disinfectant and pH residual;

(b) The swimming pool water pH shall be maintained at a level between 7.2 and 7.8;

(c) Swimming pool water shall have sufficient clarity that the main drain cover is readily visible at the deepest point of the swimming pool when viewed from the side of the swimming pool;

(d) Any chemical applied in swimming pools must be used in accordance with the manufacturer's instructions;

(III) Miscellaneous requirements are as follows:

(a) The swimming pool and deck areas shall be kept clean, free of cracks, peeling paint, and tripping hazards;

(b) A cleaning system shall be provided to remove dirt from the bottom of the pool;

(c) Surface skimmers, strainer baskets and perimeter overflow systems shall be kept clean and in good repair;

(d) Main drain grates shall be whole, opening shall not be over one-half inch (1/2") wide, and in good repair and firmly affixed at all times;

(e) All pool equipment shall be kept clean and in good repair at all times;

(f) Discharged pool water shall conform to Missouri Department of Natural Resources regulations;

(g) Water shall be maintained at the overflow level;

(h) Daily operating records shall be maintained by the owner or operator and available upon request. The residual concentration of all chemicals used in the pool, pH, and the date and time of the information provided shall be recorded. Other information to be recorded includes water temperature, amount of chemicals used, flow rate, equipment breakdowns, amount of makeup water; and reported accidents requiring medical attention. A sign-in sheet shall be available for patrons wishing to use the pool;

(i) Pool chemicals shall be stored separately from all other chemicals. All chemicals shall be handled, stored and labeled properly in accordance with the manufacturer's recommendations; and

(j) Indoor pool areas, pump rooms, and storage rooms shall be vented to the exterior;

(IV) Spas shall meet the additional following requirements, exemption—a pool used under direct supervision of qualified medical personnel is excluded:

(a) The maximum water depth shall be four feet (4') measured from the water line. The maximum depth of any seat or sitting bench shall be two feet (2') measured from the water line;

(b) Water temperature controls shall be provided to prevent water temperatures from exceeding one hundred four degrees Fahrenheit (104°F). The controls shall be accessible only to the pool operator;

(c) Outlets shall be designed so that each pumping system prevents user entrapment;

(d) Disinfectant feeders shall be capable of supplying at least twenty (20) ppm chlorine or equivalent;

(e) The agitation system shall be separate from the water treatment recirculation system. The agitation system shall be connected to a timer; and

(f) A legible sign visible from the spa shall be provided. It shall state at the minimum: "Caution. Any person having an acute or chronic disease such that use of this spa might adversely affect their health should consult a physician before using this spa. Do not use the spa alone or without supervision. Do not use the spa longer than 10 minutes. Children shall be accompanied by an adult." Additional precautionary information may be added as deemed necessary by the lodging facility or manufacturer.

(F) Life Safety. The lodging establishment shall be constructed, operated and maintained with strict regard to health and safety.

1. General requirements are as follows:

A. Combustibles, whether solid, liquid or gaseous, shall be properly used and stored so that they do not present a hazard to health or life safety;

B. Toxic, corrosive, oxidizing or other hazardous materials shall be properly used, stored, and disposed so that they do not present a hazard to health or life safety;

C. If the inspecting authority suspects that defects are present with regards to the integrity of the structure or electrical system of the lodging establishment, that authority may require the owner to retain the services of a registered engineer to certify the lodging facility for building safety;

2. Safety—Electrical. Electrical components of lodging facilities must be installed and maintained in accordance with this rule. General requirements are as follows:

A. Electrical service entrances to lodging facilities must be approved by the public utility serving the establishment prior to opening and within three (3) years of the implementation of this rule for existing lodging establishments;

B. New lodging facilities having electrical outlets installed in wet locations or outdoors are required to be fitted with ground-fault circuit interrupters. This rule applies to existing lodging facilities if the facility undergoes renovation or rewiring;

C. Electrical switches, outlets and junction boxes must be covered and properly protected from physical damage at all times;

D. All appliances must be grounded to design specifications;

E. Wire splices shall be located in covered junction boxes at all times;

F. Bare or frayed wiring is prohibited;

G. Three (3)-prong receptacles must be properly grounded at all times;

H. Public hallways, stairways, landings, and foyers shall be sufficiently illuminated at all times to prevent tripping or other injuries to persons at the lodging facility's foyers;

I. Temporary wiring and flexible cords shall not be used in place of fixed wiring except for extension cords that are appropriately sized for appliances;

(I) Use of extension cords longer than six feet (6') is prohibited. No more than one (1) extension cord per room may be used;

J. Wattage of light bulbs shall not exceed the wattage rating of corresponding light fixtures;

K. Empty light sockets are prohibited;

L. Circuit boxes shall be protected from physical damage and maintained in good condition. Storage of items that obstruct the vision of or access to circuit boxes is prohibited. Access to electrical panels is to be unobstructed; and

M. Fuses and circuits must be labeled for identification;

3. Safety—Fire.

A. General Requirements.

(I) Hangings or draperies shall not be placed over exit doors or located to conceal or obscure any exit.

(II) Mirrors shall not be placed on exit doors or adjacent to any exit that may confuse the direction of exit.

(III) Housekeeping practices that ensure fire safety shall be maintained daily.

(IV) Stairways, walks, ramps, and porches shall be kept free of ice and snow.

(V) No fresh-cut Christmas trees shall be used unless they are treated with a flame resistant material. Documentation of the treatment shall be on file at the facility.

(VI) All facilities shall comply with all local building codes, fire codes and ordinances.

(VII) Dead-end corridors or hallways shall not exceed thirty-five feet (35').

B. Exiting and Means of Egress.

(I) Means of egress, from all guest rooms/guest suites to the outside of the building shall have access to a primary means of escape. The primary means of escape shall be a door, stairway, or ramp providing a means of unobstructed travel without traversing any corridor or space exposed to an unprotected vertical opening. The primary means of escape shall lead outside of the dwelling unit at street or ground level. Exemption: all facilities that are licensed prior to the effective date of these rules.

(II) Where the guest rooms/guest suites are above or below the level of exit discharge, the primary means of escape shall be an enclosed interior stair, an exterior stair, a horizontal exit, or an existing fire escape stair. Exemption: All facilities that are licensed prior to the effective date of these rules.

(III) In addition to the primary route, each room shall have a second means of escape in accordance with the following:

(a) A door, stairway, passage, or hall providing a way of unobstructed travel to the outside of the dwelling at street or ground level, that is independent of and remote from the primary means of escape;

(b) A passage through an adjacent non-lockable space, independent of and remote from the primary means of escape, to any approved means of escape;

(c) An outside window or door operable from the inside without the use of tools, keys, or special effort and providing a clear opening of not less than twenty inches (20") in width, twenty-four inches (24") in height, and 5.7 square feet in area. The bottom of the opening shall not be more than forty-four inches (44") above the floor. Such means of escape shall be acceptable if the window is within twenty feet (20') of grade, the window is directly accessible to fire department rescue apparatus as approved by the local fire inspector or State Fire Marshal's office, or the window or door opens onto an exterior balcony. Exceptions: A secondary means of escape shall not be required:

I. If the bedroom or living area has a door leading directly to the outside of the building at or to grade level; or

II. If the dwelling unit is protected throughout by an approved, supervised automatic sprinkler system.

(IV) Every story more than two thousand (2,000) square feet in area or with a travel distance to the primary means of escape more than seventy-five feet (75') shall be provided with two (2) primary means of escape remotely located from each other. A remote exit or a remote means of egress is when two (2) exits or two (2) exit access doors are required. Each door or exit access door shall be placed at a distance apart equal to not less than one-half (1/2) the length of the maximum overall diagonal dimension of the building or area to be used. Exception No. 1: All facilities that are licensed prior to the effective date of these rules. No. 2: Building protected throughout by an approved, supervised automatic sprinkler system.

(V) There shall be no storage on stairs or landings.

(VI) No door in any means of egress shall be locked against egress when the building is occupied.

(a) Exception: Delayed egress locks shall be permitted, provided not more than one (1) such device is located in any one egress path. The door lock unlocks upon loss of power to the building. The door lock unlocks upon actuation of the fire sprinkler system. The door lock unlocks upon activation of the fire alarm system in the building.

(b) Exception: Exterior doors shall be permitted to have key-operated/or knob-operated locks provided the key cannot be removed from the lock.

(VII) All facilities that use stairs as a component in the means of egress shall comply with the following:

(a) All open face stairs shall have guards placed on the sides. Guards shall be placed so that a four-inch (4") diameter sphere shall not pass through them. All guards shall be attached to the stair in a sturdy manner. Exception: Existing stairs may continue to be used subject to approval of administrative authority having jurisdiction.

(b) All ramps that are used in the exit discharge shall have a minimum width of forty-four inches (44") in all facilities.

(c) All ramps shall have a slip resistant surface.

(d) All ramps that are greater than six inches (6") in height shall have handrails and guards placed on each side. The handrails and guards shall comply with the stair requirements listed above;

(e) No door or path of travel in a means of escape shall be less than twenty-eight inches (28") wide in existing facilities, and in all new facilities the doors shall be thirty-two inches (32") wide. Exception: Bathroom doors shall be not less than twenty-four inches (24") wide;

(f) Every closet door latch shall be such that it can be readily opened from the inside in case of emergency;

(g) Every bathroom door shall be designed to allow opening from the outside during an emergency when locked;

(h) No door in any means of escape shall be locked against egress when the building is occupied. See exception (b) in (3)(F)3.B.(VI) of this rule;

(i) Doors serving a single dwelling unit shall be permitted to be provided with a lock, however, a key operation shall be allowed, providing that the key cannot be removed when the door is locked from the side from which egress is made.

C. Protection.

(I) Every floor that separates stories in a building shall be constructed as a smoke barrier to provide a basic degree of compartmentation. Exemption: All facilities that are licensed prior to the effective date of these rules.

(II) Openings through floors, such as stairways, hoistways for elevators, dumbwaiters, inclined and vertical conveyors; shaftways used for light, ventilation, or building services; or expansion joints and seismic joints used to allow structural movements, shall be enclosed with fire barriers (vertical), such as wall or partition assemblies whose fire resistance rating is not less than thirty (30) minutes. Such enclosures shall be continuous from floor to floor. Openings shall be protected as appropriate for the fire resistance rating of the barrier. Exemption: All facilities that are licensed prior to the effective date of these rules.

D. Interior Finishes.

(I) Textile materials having a napped, tufted, looped, woven, non-woven, or similar surface shall not be applied to walls or ceilings. Foam plastic materials or other highly flammable or toxic material shall not be used as an interior wall, ceiling, or floor finish unless approved by the administrative authority having jurisdiction.

E. Fire Alarms, and Extinguishment.

(I) A fire alarm system shall be installed and maintained in good working order.

(a) When manual fire alarm pull stations are provided, they shall be located in the natural path of escape near each required exit from an area. Each manual fire alarm station on a system shall be accessible, unobstructed, visible, and of the same general type. A manual fire alarm station is to be located at the hotel desk or other convenient central control point under continuous supervision by responsible employees. Exception: Buildings protected throughout by an approved, supervised automatic sprinkler system.

(b) Facilities using equipment or appliances that pose a potential carbon monoxide risk, including facilities with attached parking garages, shall install a carbon monoxide detector(s) within the immediate vicinity of the carbon monoxide source. The number of detectors shall be determined by the local administrative authority.

(c) Smoke detectors shall be installed in all sleeping rooms, common areas, and workspaces.

(d) Carbon monoxide and smoke detectors shall be in good operating condition. If a battery-operated detector is routinely not operational, the provider shall install a detector that is powered by the building's electrical system with a battery backup.

(e) By June 2007, all smoke detectors and carbon monoxide detectors shall be interconnected and powered by the building's electrical system with battery backup.

(II) Occupant notification shall be provided automatically, without delay, throughout the entire building, by internal audible alarm. Visible signals shall be installed in guest rooms designated for hearing-impaired individuals.

(III) All buildings shall be protected throughout by an approved, supervised automatic sprinkler system.

(a) Exception: Buildings other than high rise, where all guest sleeping rooms have a door that opens directly to the outside at street or ground level or to exterior exit access.

(b) Exception: All facilities that are licensed prior to the effective date of these rules.

(IV) Smoke and carbon monoxide detectors shall be tested once per month or as needed to ensure they are operating properly, and batteries shall be changed yearly or as needed. All sprinkler and smoke detector systems shall be tested and approved annually by a fire alarm or sprinkler company.

(V) Records shall be kept on file showing the dates the sprinkler, and smoke and carbon monoxide detector systems were tested, results of those tests, and dates that the batteries were changed in smoke and carbon monoxide detectors.

(VI) Portable fire extinguishers (51b, 2A-10BC) shall be required in all facilities. Fire extinguishers shall be located in or near the cooking area, and near all sleeping rooms. The maximum travel distance to a fire extinguisher shall be no greater than seventy-five feet (75').

(VII) All fire extinguishers shall be inspected, maintained, and installed annually by a fire extinguisher company.

F. Separation of Sleeping Rooms.

(I) All sleeping rooms shall be separated from escape route corridors by walls and twenty (20) minute fire rated doors or accepted by local/state fire marshall that are smoke resistant. There shall be no louvers or operable transoms or other air passages penetrating the wall except properly installed heating and utility installations.

(II) Sleeping room doors shall be provided with sleeping room latches or other mechanisms suitable for keeping the doors closed. Doors shall be self-closing or automatic-closing upon detection of smoke. Exception: Door-closing devices shall not be required in buildings protected throughout by an approved, automatic sprinkler system or exterior doors that lead to outside of the dwelling unit at street or ground level.

G. Emergency Evacuation Plans, and Drills.

(I) A floor diagram reflecting the actual floor or exterior doors that lead outside of the dwelling unit at street or ground level arrangement, exit locations, and room identification shall be posted in a location and manner acceptable to the local authorities in every guest room or immediately adjacent to every guest room door.

(II) Employees shall be instructed and drilled in the duties they are to perform in the event of fire, panic, or other emergency. A copy of an emergency evacuation plan and employee instruction guide shall be kept on file that is accessible by all staff.

(III) Fire safety information shall be provided to allow guests to decide either to evacuate to the outside, evacuate to an area of refuge, remain in place, or any combination of the three (3).

H. Heating, Cooling and Air Conditioning Equipment.

(I) Unvented fuel-fired room heaters, portable electrical space heaters, shall not be used.

(II) Facilities heating with a boiler or with a water heater over two hundred thousand British thermal units (200,000 Btu) per hour input or larger, shall have a valid permit posted on the premises, as well as on file with the State Fire Marshal's Office, Division of Fire Safety.

(III) Gas and electric heating equipment shall be equipped with thermostatic controls. Gas water heaters shall be vented properly by a galvanized flue pipe with screws at every joint in the pipe, or by material recommended by the manufacturer.

(IV) Furnace rooms shall be properly vented to the outside. Furnace flue pipes shall be constructed of galvanized pipe or

material recommended by the manufacturer. All galvanized pipe shall be secured by screws at every joint in the pipe.

(V) Joints in gas supply pipes shall be located outside the furnace cabinet housing.

(VI) Gas shut-off valves shall be located next to all gas appliances, furnaces, and water heaters.

(VII) The furnace and water heater shall be located inside a fire resistant room. The room shall have a one (1)-hour fire rated door. Furnace rooms and rooms containing water heaters shall not be required to be fire resistive if an automatic sprinkler head is installed off the domestic water system and a smoke detector is located directly outside the room that is interconnected to the other smoke detectors throughout the facility.

(VIII) If a furnace or water heater is located inside a garage, it shall be at least eighteen inches (18") above the finished floor and enclosed inside a fire resistant room.

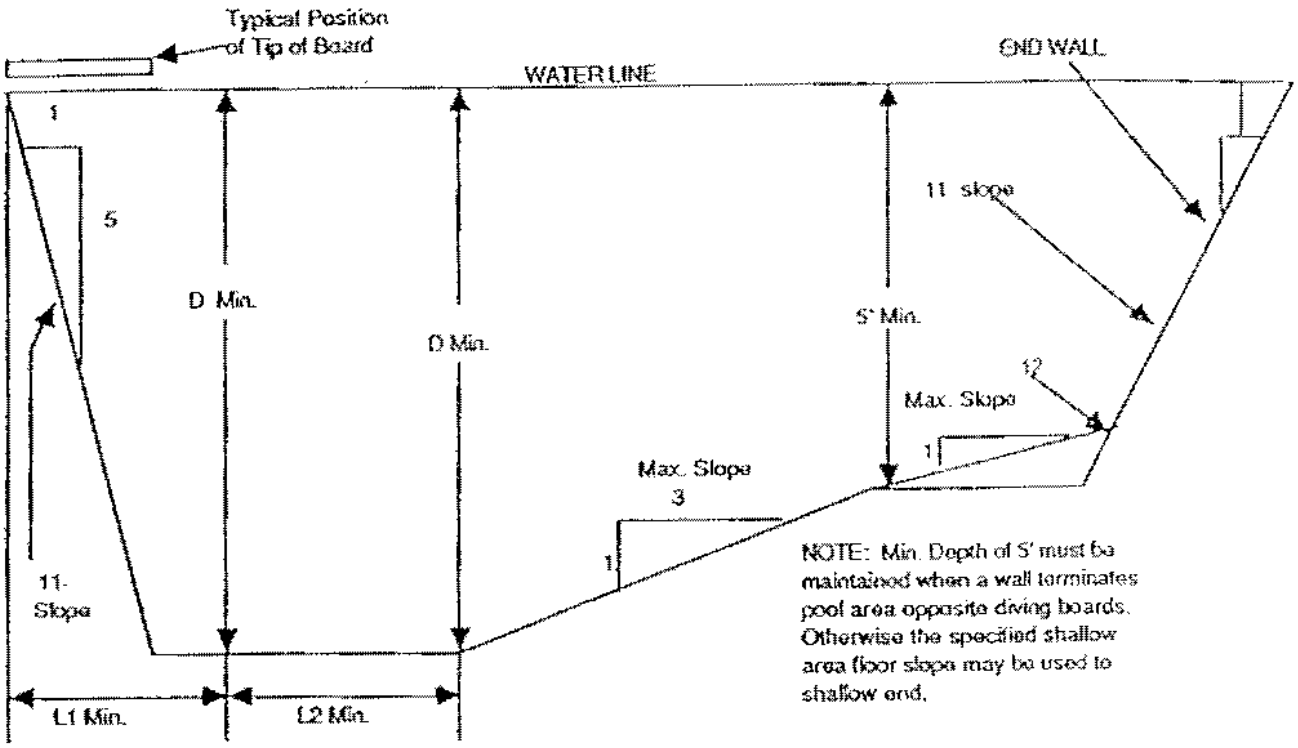
(IX) Furnaces shall be equipped with an electrical fused switch to protect the unit from electrical overloading and to disconnect the electrical supply.

(X) Furnace rooms and rooms containing water heaters shall have adequate combustion air for the units. The vent size openings for the combustion air shall be measured at one (1) square inch per one thousand (1,000) Btu input, if the combustion air is drawn from inside the structure, and one (1) square inch per four thousand (4,000) Btu input if the air is drawn from outside the structure. There shall be two (2) combustion air vent openings in each furnace room. One (1) shall be located at the lower level and the other at the upper level. One (1) combustion air vent opening shall be permitted if the vent opening extends directly to the outside of the structure. This opening shall be one (1) square inch per three thousand (3,000) Btu input of the total gas appliances located in the room. The gas appliances shall have a clearance around them of one inch (1") from the sides and back and six inches (6") from the front of the unit.

(XI) Air conditioning, heating, ventilating duct work, and related equipment shall be installed in a safe manner and be in good operating condition.

TABLE 1

Minimum Dimensions for
Pools with Diving Equipment



Max. Board Height Over Water	Max. Diving Board Length	Minimum Dimensions D	L1	L2	Pool Width
26" (2/3 meter)	10'	8'-6"	2'-6"	10' 0"	20' 0"
30" (3/4 meter)	12'	9' 0"	3'-0"	10'-0"	20' 0"
1 meter	16'	10' 0"	4'-0"	12'-0"	20' 0"
3 meter	16'	12'-0"	6'-0"	12'-0"	20' 0"

Placement of boards shall observe the following minimum dimensions. With multiple board installations minimum pool width must be increased accordingly.

1 Meter or less board to Pool Side	10' 0"
3 Meter Board to Pool Side	12' 0"
Distance between adjacent boards	10'-0"

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Health Standards and Licensure
Chapter 20—Hospitals

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 192.006, 197.080 and 197.293, RSMo 2000, the department amends a rule as follows:

19 CSR 30-20.011 Definitions Relating to Hospitals **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2001 (26 MoReg 1531). Those sections with changes are reprinted here. The proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Department of Health and Senior Services received 37 letters of comment of this proposed amendment.

COMMENT: Thirty-two letters of comment were received from organizations or individuals representing hospitals, healthcare organizations or Emergency Medical Services agencies stating that section (39)(A) was confusing. They pointed out that the decision for a hospital to go on diversion may be based upon a number of reasons.
RESPONSE AND EXPLANATION OF CHANGE: The department agrees that subsection (39)(A) is unnecessary and may be confusing. The department is deleting the originally proposed subsection (39)(A) and adding language to allow hospitals to implement a diversion for additional reasons. The amendment will be renumbered to show that (39)(A) now addresses Defined Service Area.

COMMENT: Six letters of comment offered recommendations from community plans on classifications of diversions that they felt were less confusing. They also recommended that diversion classification would be best addressed in community plans rather than a state regulation.
RESPONSE: Community wide diversion plans are regulated under 19 CSR 30-20.021(3)(C)12.G. Communities may develop their own classification but no changes will be made to this amendment defining diversion.

COMMENT: One letter of comment was received that felt that in communities that border other states, the community should be allowed to include hospitals from another state in the catchment area.
RESPONSE: The proposed amendment does not prevent a community from having a plan that would involve hospitals from across state lines, therefore, no changes will be made as a result of their comment.

19 CSR 30-20.011 Definitions Relating to Hospitals

(39) Diversion—a plan to temporarily close a hospital emergency department to ambulance traffic. This may be due to the emergency department being overwhelmed with significantly critically ill or injured patients, or an overwhelming number of minor emergency patients, to the extent that the hospital is unable to provide quality care or protect the health or welfare of the patients it serves. A diversion also may be implemented if the hospital has resource limitations, such as, no available beds in specialty care units or general acute care, no surgical suites or shortages of equipment or personnel.

(A) Defined service area—The geographic area served by a defined group of hospitals and emergency services. In areas where there is a community-based emergency medical services diversion plan, the service area(s) defined as the catchment area by the plan will be the defined service area(s). In areas where there is not a community-based emergency medical services diversion plan, the defined service area will be a twenty (20)-mile radius from a hospital.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Health Standards and Licensure
Chapter 20—Hospitals

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 192.006, 197.080 and 197.293, RSMo 2000, the department amends a rule as follows:

19 CSR 30-20.015 Administration of the Hospital Licensing Program **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2001 (26 MoReg 1531–1532). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Department received two letters of comment on this proposed amendment.

COMMENT: The Missouri Nurses Association submitted a letter stating that the organization felt that the proposed amendment was a positive step in ensuring the health and safety of patients in Missouri.
RESPONSE: The Department agrees with the comment.

COMMENT: The Missouri Hospital Association submitted a lengthy letter with comment and recommendations. The Association felt that the amendment did not incorporate the inspection process outlined in SB 788 (L2000), for the implementation of intermediate sanctions.
RESPONSE: The inspection process and intermediate sanctions outlined in SB 788 (codified as section 197.293, RSMo) is very detailed and specific as written in the statute.

COMMENT: The Missouri Hospital Association felt it was duplicative to reiterate the guidelines established by the Centers for Medicare and Medicaid Services.
RESPONSE: The Department also feels that it is necessary to duplicate the guidelines of the Center for Medicare and Medicaid Services since well over 50% of complaint investigations are done under state licensing authority and not under the federal authority.

COMMENT: The Missouri Hospital Association also felt that since then the department had based the wording of the amendment on federal regulations, that the language needed to be verbatim.
RESPONSE: The department did not feel the need to write the text verbatim since this is a state regulation enforced under state authority and not federal authority.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Health Standards and Licensure
Chapter 20—Hospitals

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 192.006 and 197.080, RSMo 2000, the department amends a rule as follows:

19 CSR 30-20.021 Organization and Management for Hospitals **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2001 (26 MoReg 1533–1538). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received a total of 47 letters of comment from various healthcare organizations, individuals and Emergency Medical Services organizations or agencies. Twenty-eight of these letters were in support of a letter written by the Missouri Hospital Association. All of these 28 letters cited the same 3 major concerns:

The rule as proposed would impose an undue burden on hospitals by deterring resources away from patient care for reporting purposes.

The rule as written would place an undue burden on operations of hospitals by requiring duplicative administrative requirements.

The rule as written does not fully recognize the work that has been done in the metropolitan Kansas City and St. Louis areas on establishing community based plans.

COMMENT: The Missouri Hospital Association as well as 28 other letters made comments that the proposed amendment reporting requirements to ambulance services, other hospitals and the Department of Health and Senior Services will defer critical resources away from patient care for the completion of paperwork and making phone calls. Five of the letters wanted next-day reporting.
RESPONSE AND EXPLANATION OF CHANGE: The department considered this comment. If a hospital is closing to ambulance traffic, it is imperative that other area hospitals be made aware so that they can prepare themselves for a possible increase in their patient volume. Next day reporting increases the likelihood that a hospital will fail to remember to report the diversion. The proposed amendment already allows for electronic reporting to either the department or to local hospitals and ambulance providers. For reporting to the department, 19 CSR 30-20.021 (3)(C)12.A.(IV), (VII) and 19 CSR 30-20.021(3)(C)12.D. are revised to state "upon the actual implementation."

COMMENT: The department received a total of 37 letters with comments of concern over the requirement in 19 CSR 30-20.021(3)(C)12.A.(VII) that if 1/3 of the hospitals in a defined service area go on diversion, no hospital will be considered on diversion. Most comments felt that the 1/3 number was arbitrary. Others proposed a maximum number of ERs within a defined service area remain open. Other comments suggested that the number be left up to acceptable community plans.
RESPONSE AND EXPLANATION OF CHANGE: The department agrees and revised 19 CSR 30-20.021(3)(C)12.A.(VII) to allow that at least 1 ER in a defined service area remain open or that this requirement be defined in an acceptable community plan.

COMMENT: The department received 28 letters of comment recommending the wording, "Ambulances that have made contact with the hospital before the hospital has declared itself to be on diversion shall not be redirected to other hospitals." be added to 19 CSR 30-20.021(3)(C)12.A.(IV).
RESPONSE AND EXPLANATION OF CHANGE: The department agrees and will revise 19 CSR 30-20.021(3)(C)12.A.(IV) to provide for the recommendation.

COMMENT: Twenty-eight letters of comment were received stating that the definition of community-based plans needed clarification and does not recognize the work already done by St. Louis and Kansas City. All 42 letters asked the department to consider expanding the role of the community-based plans.
RESPONSE AND EXPLANATION OF CHANGE: The department agrees and will add section (G) to address and clarify the role of the community-based plan. The new section will allow hospitals to participate in an acceptable community-based plan as long as the plan meets the requirements of the amendment. This new section provides 19 CSR 30-20.021(3)(C)12.G.

COMMENT: Thirty-four letters were received with comments regarding the amendment placing an undue burden upon hospitals by requiring duplicative administrative requirements.
RESPONSE AND EXPLANATION OF CHANGE: The department agrees and will amend 19 CSR 30-20.021(3)(C)12.B. so that a hospital may incorporate the review process into an existing CQI committee. 19 CSR 30-20.021(3)(C)12.D. will be amended to eliminate the requirement of a log. Fiscal notes shall also be amended, since a new committee will no longer be required. The department revised 19 CSR 30-20.021(3)(C)12.B. & D.

COMMENT: The Missouri Hospital Association letter along with its 27 other letters of support, commented that hospitals need to be ensured that the review of diversion plans will be performed by knowledgeable individuals at the Department of Health and Senior Services and that the reviews will be performed in a timely and efficient manner to avoid unreasonable delays in plan implementation.
RESPONSE: The department agrees with this comment. However, no changes will be necessary since any staff performing reviews will be experienced healthcare regulators and administrators. The director already has the authority and responsibility to assign knowledgeable staff. The amendment also already reads that "a hospital may continue to operate under a plan in existence prior to the effective date of this section while awaiting approval of its plan by the department." This will effectively eliminate time concerns.

COMMENT: The department received 28 letters of comment requesting that requirements for administrative accountability for making the decision to go on diversion be reasonable.
RESPONSE: The amendment requires that the individual making the decision be authorized by the hospital and that the individual has reviewed and documented the hospital's ability to obtain additional resources to prevent going on diversion. The department feels that this is a reasonable requirement.

COMMENT: The department received 27 letters of comment recommending that 19 CSR 30-20.021(3)(C)12.A.(V) be deleted as being duplicative of existing federal EMTALA regulations.
RESPONSE: The department considered this comment but will not make changes since 60% of hospital complaint investigations are done under state licensure authority and without federal authority.

COMMENT: The department received 4 letters from Emergency Medical Services Organizations and 2 from Emergency Medicine Physicians questioning why the department had not consulted the

Missouri State Advisory Council on Emergency Medical Services prior to submitting the proposed amendment.
RESPONSE: The department felt that this amendment regulates only hospitals licensed under Chapter 197. The hospitals licensed under Chapter 197 were the only entities affected by the fiscal notes or required to make policy changes.

COMMENT: The department received 3 letters commenting that the newly formed regional EMS advisory committees be allowed to review this amendment prior to implementation.
RESPONSE: The Regional EMS advisory committees have the same chance to review this amendment as does any interested individual or organization during the 30-day notice and comment period. The Regional EMS advisory committee's are advisory by statute and have no regulatory authority.

COMMENT: One letter was received that questioned the preparation of the fiscal notes in as whether public hospitals would be reimbursed by the state under Article X, section 21 of the *Missouri Constitution*.
RESPONSE: The review of this issue is moot because the proposed amendment has revised so that a separate multidisciplinary committee is no longer required.

COMMENT: The department received 2 letters from physicians who felt that 19 CSR 30-20.021(3)(C)12.A.(V) seemed to reflect that diversion only affects the delivery of care to ambulance patients. Walk-in patients must still be treated under federal EMTALA regulations.
RESPONSE AND EXPLANATION OF CHANGE: The department agrees and revises 19 CSR 30-20.021(3)(C)12.A.(V).

COMMENT: The department received 3 letters that made no specific comment or recommendation but were critical of the amendment as a whole and of the process the department had utilized in developing the amendment.
RESPONSE: The department sought input from the Missouri Hospital Association in developing the amendment and followed the legal rulemaking process.

19 CSR 30-20.021 Organization and Management for Hospitals

(3) Required Patient Care Services. Each hospital shall provide the following: central services, dietary services, emergency services, medical records, nursing services, pathology and medical laboratory services, pharmaceutical services, radiology services, social work services and inpatient care unit.

(C) Emergency Services.

1. Each hospital providing general services to the community shall provide an easily accessible emergency area which shall be equipped and staffed to ensure that ill or injured persons can be promptly assessed and treated or transferred to a facility capable of providing needed specialized services. In multiple-hospital communities where written agreements have been developed among the hospitals in accordance with an established community-based hospital emergency plan, individual hospitals may not be required by the Department of Health to provide a fully equipped emergency service.

2. A hospital shall have a written hospital emergency transfer policy and written transfer agreements with one (1) or more hospitals within its service area which provide services not available at the transferring hospital. Transfer agreements shall be established which reflect the usual and customary referral practice of the transferring hospital, but are not intended to cover all contingencies.

3. Hospital emergency services shall be under the medical direction of a qualified staff physician who is board-certified or board-admissible in emergency medicine and maintains a knowledge of current ACLS and ATLS standards or a physician who is experienced in the care of critically ill and injured patients and maintains current verification in ACLS and ATLS. In pediatric hospitals, PALS shall be substituted for ACLS. With the explicit advanced approval of the Department of Health, a hospital may contract with a qualified consultant physician to meet this requirement.

A. That physician shall be responsible for implementing rules of the medical staff relating to patient safety and privileges and to the quality and scope of emergency services.

B. A qualified registered nurse shall supervise and evaluate the nursing and patient care provided in the emergency area by nursing and ancillary personnel. Supervision may be by direct observation of staff or, at a minimum, the nurse shall be immediately available in the institution.

C. Any person assigned to the emergency services department administering medications shall be a licensed physician, registered nurse, EMT-paramedic or appropriately licensed or certified allied health practitioner and shall administer medications only within his/her scope of practice except for students who are participating in a training program to become physicians, nurses, emergency medical technician-paramedics who may be allowed to administer medication under the supervision of their instructors as a part of their training. Trained individuals from the respiratory therapy department may be allowed to administer aerosol medications when a certified respiratory therapy assistant is not available.

4. Any hospital which provides emergency services and does not maintain a physician in-house twenty-four (24) hours a day for emergency care shall have a call roster which lists the name of the physician who is on call and available for emergency care and the dates and times of coverage. A physician who is on call and available for emergency care shall respond in a manner which is reasonable and appropriate to the patient's condition after being summoned by the hospital.

5. Any hospital with surgical services that also provides emergency surgical services shall have a general surgical call roster which lists the name of the general surgeon who is on call for emergency surgical cases, and the dates and times of coverage. The surgeon who is on call for emergency surgical cases shall arrive at the hospital within thirty (30) minutes of being summoned. Patients arriving at a hospital that does not provide emergency surgical services and are found upon examination to require emergency surgery shall be immediately transferred to a hospital with the necessary services.

6. All patients admitted to the emergency service shall be assessed prior to discharge by a physician or registered professional nurse.

7. If discharged from the emergency department, other than to the inpatient setting, the patient or responsible person shall be given written instructions for care and an oral explanation of those instructions. Documentation of these instructions shall be entered on the emergency service medical record.

8. There shall be a quality improvement program for the emergency service which includes, but is not limited to, the collection and analysis of data to assist in identification of health service problems, and a mechanism for implementation and monitoring appropriate actions. The quality improvement program shall include the periodic evaluation of at least the following: length of time each patient is in the emergency room, appropriateness of transfers, physician response time, provision for written instructions, timeliness of diagnostic studies, appropriateness of treatment rendered, and mortality.

9. Written policies shall be adopted to assure that notification procedures are implemented concerning the significant exposure of prehospital emergency personnel to communicable diseases as required in 19 CSR 30-40.047.

10. The emergency service medical record shall contain patient identification, time and method of arrival, history, physical

findings, treatment and disposition and shall be authenticated by the physician. These records, including an ambulance report when applicable, shall be filed under supervision of the medical records department.

11. There shall be a mechanism for the review and evaluation on a regular basis of the quality and appropriateness of emergency services.

12. A hospital shall have a written plan that details the hospital's criteria and process for diversion. The plan must be reviewed and approved by the Missouri Department of Health prior to being implemented by the hospital. A hospital may continue to operate under a plan in existence prior to the effective date of this section while awaiting approval of its plan by the department.

A. The diversion plan shall:

(I) Identify the individuals by title who are authorized by the hospital to implement the diversion plan;

(II) Define the process by which the decision to divert will be made;

(III) Specify that the hospital will not implement the diversion plan until the authorized individual has reviewed and documented the hospital's ability to obtain additional staff, open existing beds that may have been closed or take any other actions that might prevent a diversion from occurring;

(IV) Include that all ambulance services within a defined service area will be notified of the intent to implement the diversion plan upon the actual implementation. Ambulances that have made contact with the hospital before the hospital has declared itself to be on diversion shall not be redirected to other hospitals. In areas served by a real time, electronic reporting system, notification through such system shall meet the requirements of this provision so long as such system is available to all EMS agencies and hospitals in the defined service area.

(V) Include procedures for assessment, stabilization and transportation of patients in the event that services, including but not limited to, ICU beds or surgical suites become unavailable or overburdened. These procedures must also include the evaluation of services and resources of the facility that can still be provided to patients even with the implementation of the diversion plan.

(VI) Include procedures for implementation of a resource diversion in the event that specialized services are overburdened or temporarily unavailable; and

(VII) Include that all other acute care hospitals within a defined service area will be notified upon the actual implementation of the diversion plan. For defined service areas with more than two (2) hospitals, if more than one-half (1/2) of the hospitals implement their diversion plans, no hospital will be considered on diversion. For a defined service area with two (2) hospitals, if both hospitals implement their diversion plans, neither will be considered on diversion. Participation in a real time, electronic reporting system shall meet the notification requirements of this section. If a hospital participates in an approved community wide plan, the community wide plan may set the requirement for the number of hospitals to remain open.

B. Each incident of diversion plan implementation must be reviewed by the hospital's existing quality assurance committee. Minutes of these review meetings must be made available to the Missouri Department of Health and Senior Services upon request.

C. The hospital shall assure compliance with screening, treatment and transfer requirements as required by the Emergency Medical Treatment and Active Labor Act (EMTALA).

D. A hospital or its designee shall report to the department, by phone or electronically, upon actual implementation of the diversion plan. This implementation report shall contain the time the plan will be implemented. The hospital or its designee shall report to the department, by phone or electronically, within eight (8) hours of the termination of the diversion. This termination report shall contain the time the diversion plan was implemented, the reason for the diversion, the name of the individual who made the determination to implement the diversion plan, the time the diversion status was terminated, and the name of the individual who made the determination to terminate the diversion. In areas served by real time, electronic reporting system, reporting through such system shall meet the requirements of this provision so long as such system generates reports as required by the department.

E. Each hospital shall implement a triage system within its emergency department. The triage methodology shall continue to apply during periods when the hospital diversion plan is implemented.

F. Any hospital that has a written approved policy, which states that the hospital will not go on diversion or resource diversion, except as defined in the hospital's disaster plan in the event of a disaster, is exempt from the requirements of 19 CSR 30-20.021(3)(C)12.

G. If a hospital chooses to participate in a community wide plan, the requirements of number of hospitals to remain open, defined service areas, as well as community notification may be addressed within the community plan. Community plans must be approved by the department. Community plans must include that each hospital has a policy addressing diversion and the criteria used by each hospital to determine the necessity of implementing a diversion plan. Participation in a community plan does not exempt a hospital of the requirement to notify the department of a diversion plan implementation.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 30—Division of Health Standards and Licensure
Chapter 81—Certification

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 198.045 and 208.151, RSMo 2000, the department amends a rule as follows:

19 CSR 30-81.010 General Certification Requirements **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published as 13 CSR 15-9.010 in the *Missouri Register* on August 1, 2001 (26 MoReg 1515). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received. However, please note that this rule was transferred from the Division of Aging to the Department of Health and Senior Services effective August 28, 2001.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs and other items required to be published in the *Missouri Register* by law.

Title 19—DEPARTMENT OF HEALTH
Division 60—Missouri Health Facilities Review Committee
Chapter 50—Certificate of Need Program

APPLICATION REVIEW SCHEDULE

DATE FILED:
APPLICATION PROJECT NO. &
NAME/COST & DESCRIPTION/
CITY & COUNTY

The Missouri Health Facilities Review Committee has initiated review of the applications listed below. Decisions are tentatively scheduled for the February 4, 2002, Certificate of Need meeting. These applications are available for public inspection at the address shown below:

11/08/01
#3185 RP: Heartland Residential Care Facility II St. Joseph (Buchanan County) $12,000, Long-term care bed expansion through the purchase of 12 residential care facility I beds from Harriett's RCF St. Joseph (Buchanan County)

11/20/01
#3190 HS: St. Louis Children's Hospital St. Louis (St. Louis City) $2,700,000, Expand magnetic resonance imaging service

11/21/01
#3193 HS: The Cancer Institute Kansas City (Jackson County) $2,410,776, Replace linear accelerator

Any person wishing to request a public hearing for the purpose of commenting on any of these applications must submit a written request to this effect, which must be received by December 26, 2001. All written requests and comments should be sent to:

Chairman
Missouri Health Facilities Review Committee
c/o Certificate of Need Program
915 G Leslie Boulevard
Jefferson City, MO 65101

For additional information contact
Donna Schuessler, 573-751-6403.

Title 20—DEPARTMENT OF INSURANCE

IN ADDITION

Pursuant to section 537.610 regarding the Sovereign Immunity Limits for Missouri Public Entities, the Director of Insurance is required to calculate the new limitations on awards for liability.

Using the Implicit Price Deflator (IPD) for Personal Consumption Expenditures (PCE), as required by section 537.610, the two new Sovereign Immunity Limits effective January 1, 2002 were established by the following calculations:

Index Base on 1996 Dollars	
Third Quarter 2001 IPD Index	109.48
Third Quarter 2000 IPD Index	107.84

New Limit=2000 Limit × (2001 Index/2000 Index)

For all claims arising out of a single accident of occurrence:
2,111,043=2,079,420 × (1.0948/1.0784)

For any one person in a single accident or occurrence:
316,656=311,913 × (1.0948/1.0784)

The Secretary of State is required by sections 347.141 and 359.481, RSMo 2000 to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript.

PUBLICATION

NOTICE OF DISSOLUTION OF BB&T MANAGEMENT CORP.

(successor by merger to BBA of Tennessee, Inc. formerly known as Buster Brown Apparel, Inc. and BBR of Tennessee, Inc., formerly known as Buster Brown Retail, Inc.)

LAST DATE FOR CLAIMANTS TO ASSERT CLAIMS

To all Claimants or Potential Claimants against BB&T Management Corp. (successor by merger to BBA of Tennessee, Inc. formerly known as Buster Brown Apparel, Inc. and BBR of Tennessee, Inc., formerly known as Buster Brown Retail, Inc.) (the "Company"), a dissolved Delaware corporation, and all other interested parties:

PLEASE TAKE NOTICE that the Company, with a principal place of business at 832 Georgia Avenue, Chattanooga, Tennessee 37402, has duly filed a Certificate of Dissolution in the Office of the Delaware Secretary of State under the provisions of Section 275 of the General Corporation Law of the State of Delaware, which Certificate became effective on October 18, 2001.

PLEASE TAKE FURTHER NOTICE that all persons who believe they have (i) a claim (ii) a conditional or unmatured claim or (iii) a contractual claim contingent upon the occurrence or nonoccurrence of future events (such claims as set forth in clauses (i), (ii) and (iii) of this paragraph are hereinafter referred to collectively as a "Claim") against the Company are required to present such Claims against the Company according to the following procedures and requirements:

1. WHAT TO PRESENT. All Claims must contain sufficient information to reasonably inform the Company or any successor entity of the identity of the claimant and the substance of the Claim. Such Claim must be presented in writing and should include the following information: (a) the name of the claimant, (b) the address of the claimant, (c) the amount of the Claim, (d) the date the Claim came into existence, (e) the basis for the Claim, and (f) a copy of any writing that establishes the Claim.

2. WHERE TO PRESENT. All such Claims must be sent to the following address: Miller & Martin, LLP, 832 Georgia Avenue, 1000 Volunteer Building, Chattanooga, TN 37402, Attention: Ms. Shelley Rucker.

3. WHEN TO PRESENT. Any such Claims must be received by the Company no later than 5:00 p.m. Eastern Daylight Time on February 1, 2002.

4. FAILURE TO PRESENT. Any person or entity who is obligated to file a Claim and fails to do so by 5:00 p.m. Eastern Daylight Time on February 1, 2002, shall be forever BARRED and estopped from asserting any Claim against the Company or any successor entity, which shall be forever discharged from any indebtedness or liability with respect to all such Claims.

PLEASE TAKE FURTHER NOTICE that the Company or a successor entity may make distributions to other claimants and the stockholders of the Company without further notice to any claimant.

PLEASE TAKE FURTHER NOTICE that the Company made distributions to stockholders over the past three years as follows: none in 2000, none in 1999, and none in 1998.

PLEASE TAKE FURTHER NOTICE that this Notice is also hereby given by the Company to all persons with contractual Claims contingent upon the occurrence or nonoccurrence of future events or otherwise conditional or unmatured. All such persons must present any such Claims in accordance with the terms of this Notice.

THIS NOTICE does not revive any Claim barred or subject to a statute of limitations as of the date hereof or any date after the date hereof, not does it constitute acknowledgment by the Company or any successor entity that any person who receives this Notice is a proper claimant. The Company reserves the right to reject, in whole or in part, any Claim submitted in response to this Notice. The Company will reject any unproven Claim. This Notice does not operate as a waiver of any defense or counterclaim in respect of any Claim asserted by any person who is in receipt of the same.

Dated: November 16, 2001

BB&T Management Corp., a dissolved Delaware corporation,
(successor by merger to BBA of Tennessee, Inc., formerly known as Buster Brown Apparel, Inc. and BBR of Tennessee, Inc., formerly known as Buster Brown Retail, Inc.)

CLAIM FORM

BB&T MANAGEMENT CORP.

successor by merger to BBA of Tennessee, Inc., formerly known as Buster Brown Apparel, Inc. and BBR of Tennessee, Inc., formerly known as Buster Brown Retail, Inc.

1. Claimant's Name: _____

2. Claimant's Address: _____

_____

3. Claimant's Phone No: _____

4. Contact Name and Phone No: _____

5. Amount of Claim: _____

6. Date Claim Came Into Existence: _____

7. Basis of Claim: (Please attach any documentation showing claim)

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Please return this form to: Ms. Shelley Rucker
Miller & Martin LLP
832 Georgia Avenue
1000 Volunteer Building
Chattanooga, TN 37402

OFFICE OF ADMINISTRATION
Division of Purchasing

BID OPENINGS

Sealed Bids in one (1) copy will be received by the Division of Purchasing, Room 580, Truman Building, PO Box 809, Jefferson City, MO 65102, telephone (573) 751-2387 at 2:00 p.m. on dates specified below for various agencies throughout Missouri. Bids are available to download via our homepage: www.moolb.state.mo.us. Prospective bidders may receive specifications upon request.

B1E02147 Meat Products: Fish 1/2/02;
B1Z02158 Meats-February 1/4/02;
B3E02049 Cash Farm Lease-Central MO Correctional Center 1/4/02;
B2Z02043 Laboratory Information Management System Software 1/4/02;
B3E02105 Speech Language Pathology Services 1/8/02;
B1E02148 Trailers 1/9/02;
B1E02165 Dairy Products-NECC & WERDC 1/9/02;
B3Z02012 School Based Substance Abuse Prevention, Intervention, and Resources Initiative 1/10/02;
B1E02157 Equipment Rental: Agricultural 1/11/02;
B2E02037 Portable Transceivers, Training & Accessories 1/11/02;
B2Z02030 Telecommunications Services: Long Distance Services 1/11/02;
B1E02159 Rental: Heavy Equipment 1/14/02;
B3Z02096 Training/Dev., Intensive In-Home Services Staff 1/14/02;
B2Z02032 E-Government: Infrastructure 1/15/02;
B1E02164 Meat Product: Turkey Medallions 1/16/02;
B3E02120 Janitorial Services 1/16/02;
B3E02110 Janitorial Services 1/18/02;
B2Z02038 Online Legal Research Subscription Services 1/25/02;
B3Z02088 Stay At Home Parent Program 1/27/02.

It is the intent of the state of Missouri, Division of Purchasing to purchase the following as a single feasible source without competitive bids. If suppliers exist other than the one identified, contact (573) 751-2387 immediately.

Decontamination System, supplied by Biotech Systems.

1.) Elderly Refugee Resettlement Services, supplied by the International Institute of St. Louis and The Don Bosco Community Center of Kansas City.
2.) Candle Corporation OMEGAMON Software, Upgrades & Support Services, supplied by the Candle Corporation.

Even Start Family Literacy Services, supplied by Literacy Investment for Tomorrow-Missouri (LIFT-MO).

The Missouri Division of Purchasing and the Washington Advisory Group are soliciting sealed proposals for the Missouri Life Sciences Research Capacity Contract Awards. Requirements to submit proposals are as follows:

- Proposals may be submitted by public and private Missouri institutions of higher education and by other not for profit institutions located in the State of Missouri.

- Applicants must have annual life sciences research expenditures of $10,000,000.00 or more. In cases of collaborative proposals, the $10,000,000.00 threshold may be met by aggregating the expenditures of all collaborating institutions.

- Each institution may submit up to two proposals for which it is the lead applicant.

THE LETTER OF INTENT MUST BE RECEIVED BY CLOSE OF BUSINESS (5:00 P.M. EST) ON JANUARY 10, 2002, AT THE FOLLOWING ADDRESS:

The Washington Advisory Group
1275 K Street, NW, Suite 1025
Washington, DC 20005
Attn: MLSRCC Coordinator
Phone: (877) 428-9660
Fax: (202) 682-9355

ONE COPY OF THE LETTER OF INTENT ALSO SHOULD BE SENT TO:

Missouri Life Sciences Research Account
Office of Administration
Harry S Truman State Office Building
301 W. High Street, Room 840
P. O. Box 809
Jefferson City, MO 65102
Attn: Daniel Hall/Ted Smith
Fax: (573) 751-1212

PROPOSALS WILL NOT BE CONSIDERED UNLESS APPLICANTS HAVE SUBMITTED LETTERS OF INTENT IN

All forms for preparing the Letter of Intent and Proposals are included in this RFP. The RFP and the forms can be downloaded from the Internet at the following location:
http://www.oa.state.mo.us/purch/vendor.html or at
http://www.lifesciences.state.mo.us/html.

James Miluski, CPPO,
Director of Purchasing

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—24 (1999), 25 (2000) and 26 (2001). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable and RUC indicates a rule under consideration.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
	OFFICE OF ADMINISTRATION				
1 CSR 10	State Officials' Salary Compensation Schedule				24 MoReg 2535 25 MoReg 2478
1 CSR 50-3.010	Missouri Ethics Commission		26 MoReg 2219		
	DEPARTMENT OF AGRICULTURE				
2 CSR 10-5.010	Market Development	26 MoReg 1305R 26 MoReg 1305			
2 CSR 10-5.015	Market Development	26 MoReg 2217			
2 CSR 30-2.010	Animal Health	26 MoReg 2257	26 MoReg 2263		
2 CSR 30-2.040	Animal Health	26 MoReg 2257	26 MoReg 2265		
2 CSR 30-6.020	Animal Health	26 MoReg 2258	26 MoReg 2267		
2 CSR 90-10.012	Weights and Measures		This Issue		
2 CSR 90-10.013	Weights and Measures		This Issue		
2 CSR 90-10.020	Weights and Measures		This Issue		
2 CSR 90-10.040	Weights and Measures		This Issue		
2 CSR 100-10.010	Weights and Measures		26 MoReg 1623	26 MoReg 2416	
	DEPARTMENT OF CONSERVATION				
3 CSR 10-1.010	Conservation Commission		26 MoReg 1795	26 MoReg 2313	
3 CSR 10-5.550	Conservation Commission		26 MoReg 1891		
3 CSR 10-5.551	Conservation Commission		26 MoReg 1893		
3 CSR 10-5.559	Conservation Commission		26 MoReg 1895		
3 CSR 10-5.560	Conservation Commission		26 MoReg 1897		
3 CSR 10-5.565	Conservation Commission		26 MoReg 1899		
3 CSR 10-6.405	Conservation Commission		26 MoReg 2075		
3 CSR 10-11.115	Conservation Commission		N.A.		26 MoReg 2158
3 CSR 10-11.160	Conservation Commission		N.A.		26 MoReg 2158
3 CSR 10-11.182	Conservation Commission		26 MoReg 1901	26 MoReg 2416	
3 CSR 10-11.200	Conservation Commission		26 MoReg 1901	26 MoReg 2416	
3 CSR 10-11.210	Conservation Commission		26 MoReg 1901	26 MoReg 2416	
3 CSR 10-11.215	Conservation Commission		26 MoReg 1902	26 MoReg 2417	
3 CSR 10-12.110	Conservation Commission		26 MoReg 1902	26 MoReg 2417	
3 CSR 10-12.135	Conservation Commission		26 MoReg 1902	26 MoReg 2417	
3 CSR 10-12.140	Conservation Commission		26 MoReg 1902	26 MoReg 2417	
3 CSR 10-12.145	Conservation Commission		26 MoReg 1902	26 MoReg 2417	
	DEPARTMENT OF ECONOMIC DEVELOPMENT				
4 CSR 10-2.022	Missouri State Board of Accountancy	26 MoReg 2345	26 MoReg 2348		
4 CSR 10-2.041	Missouri State Board of Accountancy	26 MoReg 2346	26 MoReg 2352		
4 CSR 10-2.061	Missouri State Board of Accountancy	26 MoReg 2346	26 MoReg 2352		
4 CSR 10-2.160	Missouri State Board of Accountancy	26 MoReg 1501	26 MoReg 2353		
4 CSR 15-1.010	Acupuncturist Advisory Committee		26 MoReg 1624	This Issue	
4 CSR 15-1.020	Acupuncturist Advisory Committee		26 MoReg 1628	This Issue	
4 CSR 15-1.030	Acupuncturist Advisory Committee		26 MoReg 1631	This Issue	
4 CSR 15-2.010	Acupuncturist Advisory Committee		26 MoReg 1631	This Issue	
4 CSR 15-2.020	Acupuncturist Advisory Committee		26 MoReg 1637	This Issue	
4 CSR 15-3.010	Acupuncturist Advisory Committee		26 MoReg 1642	This Issue	
4 CSR 15-3.020	Acupuncturist Advisory Committee		26 MoReg 1647	This Issue	
4 CSR 15-4.010	Acupuncturist Advisory Committee		26 MoReg 1650	This Issue	
4 CSR 15-4.020	Acupuncturist Advisory Committee		26 MoReg 1653	This Issue	
4 CSR 30-3.020	Missouri Board for Architects, Professional Engineers and Professional Land Surveyors		26 MoReg 2075		
4 CSR 30-3.030	Missouri Board for Architects, Professional Engineers and Professional Land Surveyors		26 MoReg 2076		
4 CSR 30-3.040	Missouri Board for Architects, Professional Engineers and Professional Land Surveyors		26 MoReg 2077		
4 CSR 30-4.080	Missouri Board for Architects, Professional Engineers and Professional Land Surveyors		26 MoReg 2078R 26 MoReg 2078		
4 CSR 30-5.105	Missouri Board for Architects, Professional Engineers and Professional Land Surveyors		26 MoReg 2269		
4 CSR 30-5.110	Missouri Board for Architects, Professional Engineers and Professional Land Surveyors		26 MoReg 2269R 26 MoReg 2270		
4 CSR 30-5.120	Missouri Board for Architects, Professional Engineers and Professional Land Surveyors		26 MoReg 2083R 26 MoReg 2083		
4 CSR 30-5.130	Missouri Board for Architects, Professional Engineers and Professional Land Surveyors		26 MoReg 2083R 26 MoReg 2083		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 30-8.020	Missouri Board for Architects, Professional Engineers and Professional Land Surveyors		26 MoReg 1406R 26 MoReg 1406	26 MoReg 2417R 26 MoReg 2418	
4 CSR 30-11.010	Missouri Board for Architects, Professional Engineers and Professional Land Surveyors		26 MoReg 1409R 26 MoReg 1409	26 MoReg 2418R 26 MoReg 2418	
4 CSR 30-11.015	Missouri Board for Architects, Professional Engineers and Professional Land Surveyors		26 MoReg 2270		
4 CSR 30-11.020	Missouri Board for Architects, Professional Engineers and Professional Land Surveyors		26 MoReg 1410	26 MoReg 2418	
4 CSR 40-1.010	Office of Athletics		26 MoReg 2354R		
4 CSR 40-1.021	Office of Athletics		26 MoReg 2354R 26 MoReg 2354		
4 CSR 40-1.030	Office of Athletics		26 MoReg 2355R		
4 CSR 40-1.031	Office of Athletics		26 MoReg 2355R		
4 CSR 40-2.011	Office of Athletics		26 MoReg 2356R 26 MoReg 2356		
4 CSR 40-2.021	Office of Athletics		26 MoReg 2365R 26 MoReg 2365		
4 CSR 40-3.011	Office of Athletics		26 MoReg 2369R 26 MoReg 2369		
4 CSR 40-4.015	Office of Athletics		26 MoReg 2372R 26 MoReg 2372		
4 CSR 40-4.020	Office of Athletics		26 MoReg 2376R 26 MoReg 2376		
4 CSR 40-4.030	Office of Athletics		26 MoReg 2376R 26 MoReg 2377		
4 CSR 40-4.040	Office of Athletics		26 MoReg 2382R 26 MoReg 2382		
4 CSR 40-4.050	Office of Athletics		26 MoReg 2384R 26 MoReg 2384		
4 CSR 40-4.060	Office of Athletics		26 MoReg 2387		
4 CSR 40-4.070	Office of Athletics		26 MoReg 2387		
4 CSR 40-4.080	Office of Athletics		26 MoReg 2388R 26 MoReg 2388		
4 CSR 40-4.090	Office of Athletics		26 MoReg 2392		
4 CSR 40-5.010	Office of Athletics		26 MoReg 2392		
4 CSR 40-5.030	Office of Athletics		26 MoReg 2395R 26 MoReg 2395		
4 CSR 40-5.040	Office of Athletics		26 MoReg 2398R 26 MoReg 2398		
4 CSR 40-5.050	Office of Athletics		26 MoReg 2400R		
4 CSR 40-5.060	Office of Athletics		26 MoReg 2400R 26 MoReg 2400		
4 CSR 40-5.070	Office of Athletics		26 MoReg 2402R		
4 CSR 40-6.010	Office of Athletics		26 MoReg 2402R 26 MoReg 2403		
4 CSR 40-7.010	Office of Athletics		26 MoReg 2403R 26 MoReg 2404		
4 CSR 65-1.060	Endowed Care Cemeteries		26 MoReg 2088		
4 CSR 65-2.010	Endowed Care Cemeteries		26 MoReg 2092		
4 CSR 65-2.050	Endowed Care Cemeteries		26 MoReg 2096		
4 CSR 90-2.010	State Board of Cosmetology		This Issue		
4 CSR 90-2.020	State Board of Cosmetology		This Issue		
4 CSR 90-2.030	State Board of Cosmetology		This Issue		
4 CSR 90-4.020	State Board of Cosmetology		This Issue		
4 CSR 90-8.010	State Board of Cosmetology		This Issue		
4 CSR 90-12.080	State Board of Cosmetology		This Issue		
4 CSR 90-13.070	State Board of Cosmetology		This Issue		
4 CSR 100	Division of Credit Unions				26 MoReg 2181 26 MoReg 2230 26 MoReg 2316
4 CSR 100-2.040	Division of Credit Unions		26 MoReg 1795		
4 CSR 100-2.085	Division of Credit Unions		This Issue		
4 CSR 100-2.160	Division of Credit Unions		26 MoReg 1796		
4 CSR 110-2.170	Missouri Dental Board		26 MoReg 1414R 26 MoReg 1414	26 MoReg 2418W 26 MoReg 2419W	
4 CSR 110-2.180	Missouri Dental Board		26 MoReg 1423R 26 MoReg 1423	26 MoReg 2419W 26 MoReg 2419W	
4 CSR 120-1.010	State Board of Embalmers and Funeral Directors		26 MoReg 2276		
4 CSR 120-2.010	State Board of Embalmers and Funeral Directors		26 MoReg 2276		
4 CSR 120-2.020	State Board of Embalmers and Funeral Directors		26 MoReg 2276		
4 CSR 120-2.030	State Board of Embalmers and Funeral Directors		26 MoReg 2277		
4 CSR 120-2.040	State Board of Embalmers and Funeral Directors		26 MoReg 2277		
4 CSR 120-2.050	State Board of Embalmers and Funeral Directors		26 MoReg 2277		
4 CSR 120-2.060	State Board of Embalmers and Funeral Directors		26 MoReg 2278		
4 CSR 120-2.070	State Board of Embalmers and Funeral Directors		26 MoReg 2279		
4 CSR 120-2.120	State Board of Embalmers and Funeral Directors		26 MoReg 2280		
4 CSR 145-1.040	Missouri Board of Geologist Registration		26 MoReg 2281		
4 CSR 150-6.010	State Board of Registration for the Healing Arts		26 MoReg 1656	26 MoReg 2419	
4 CSR 165-1.020	Board of Examiners for Hearing Instrument Specialists		26 MoReg 1656		
4 CSR 165-2.050	Board of Examiners for Hearing Instrument Specialists		26 MoReg 1656		
4 CSR 165-2.060	Board of Examiners for Hearing Instrument Specialists		26 MoReg 1657		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 205-1.030	Missouri Board of Occupational Therapy		This IssueR		
4 CSR 205-3.010	Missouri Board of Occupational Therapy		This Issue		
4 CSR 205-3.020	Missouri Board of Occupational Therapy		This Issue		
4 CSR 220-2.010	State Board of Pharmacy		26 MoReg 1658	This Issue	
4 CSR 220-2.020	State Board of Pharmacy		This Issue		
4 CSR 220-2.085	State Board of Pharmacy				26 MoReg 2433
4 CSR 220-2.650	State Board of Pharmacy		This Issue		
4 CSR 230-2.045	State Board of Podiatric Medicine		26 MoReg 2283		
4 CSR 240-2.080	Public Service Commission		26 MoReg 1965		
4 CSR 240-2.130	Public Service Commission		26 MoReg 1966		
4 CSR 240-10.020	Public Service Commission		26 MoReg 1659		
4 CSR 240-13.055	Public Service Commission	26 MoReg 2259			
4 CSR 240-21.010	Public Service Commission		26 MoReg 1312	26 MoReg 2313	
4 CSR 240-35.010	Public Service Commission		26 MoReg 1659		
4 CSR 240-35.020	Public Service Commission		26 MoReg 1659		
4 CSR 240-35.030	Public Service Commission		26 MoReg 1660R		
4 CSR 240-51.010	Public Service Commission		26 MoReg 1317	26 MoReg 2313	
4 CSR 240-120.011	Public Service Commission		26 MoReg 1434	26 MoReg 2420	
4 CSR 240-120.065	Public Service Commission		26 MoReg 1434	26 MoReg 2420	
4 CSR 240-120.100	Public Service Commission		26 MoReg 1160	26 MoReg 2159	
4 CSR 240-121.010	Public Service Commission		26 MoReg 1161	26 MoReg 2226	
4 CSR 240-121.020	Public Service Commission		26 MoReg 1161	26 MoReg 2159	
4 CSR 240-121.040	Public Service Commission		26 MoReg 1161	26 MoReg 2159	
4 CSR 240-121.050	Public Service Commission		26 MoReg 1162	26 MoReg 2226W	
4 CSR 240-121.055	Public Service Commission		26 MoReg 1434	26 MoReg 2420W	
4 CSR 240-121.060	Public Service Commission		26 MoReg 1162	26 MoReg 2227W	
4 CSR 240-121.090	Public Service Commission		26 MoReg 1162	26 MoReg 2160W	
4 CSR 240-122.010	Public Service Commission		26 MoReg 1435R	26 MoReg 2420R	
4 CSR 240-122.020	Public Service Commission		26 MoReg 1435R	26 MoReg 2420R	
4 CSR 240-122.030	Public Service Commission		26 MoReg 1435R	26 MoReg 2420R	
4 CSR 240-122.040	Public Service Commission		26 MoReg 1435R	26 MoReg 2421R	
4 CSR 240-122.050	Public Service Commission		26 MoReg 1436R	26 MoReg 2421R	
4 CSR 240-122.060	Public Service Commission		26 MoReg 1436R	26 MoReg 2421R	
4 CSR 240-122.070	Public Service Commission		26 MoReg 1436R	26 MoReg 2421R	
4 CSR 240-122.080	Public Service Commission		26 MoReg 1437R	26 MoReg 2421R	
4 CSR 240-122.090	Public Service Commission		26 MoReg 1437R	26 MoReg 2422R	
4 CSR 240-123.010	Public Service Commission		26 MoReg 1437	26 MoReg 2422	
4 CSR 240-123.030	Public Service Commission		26 MoReg 1438	26 MoReg 2422	
4 CSR 240-123.040	Public Service Commission		26 MoReg 1441	26 MoReg 2422	
4 CSR 240-123.065	Public Service Commission		26 MoReg 1444	26 MoReg 2423	
4 CSR 240-123.070	Public Service Commission		26 MoReg 1444	26 MoReg 2424	
4 CSR 240-123.080	Public Service Commission		26 MoReg 1446	26 MoReg 2424	
4 CSR 240-124.010	Public Service Commission		26 MoReg 1446	26 MoReg 2425	
4 CSR 240-124.040	Public Service Commission		26 MoReg 1447	26 MoReg 2425	
4 CSR 240-124.045	Public Service Commission		26 MoReg 1447	26 MoReg 2426	
4 CSR 250-5.020	Missouri Real Estate Commission		26 MoReg 2100		
4 CSR 255-2.010	Missouri Board for Respiratory Care		26 MoReg 2404		
4 CSR 255-2.020	Missouri Board for Respiratory Care		26 MoReg 2404		
4 CSR 255-2.030	Missouri Board for Respiratory Care		26 MoReg 2405		
4 CSR 265-8.060	Motor Carrier and Railroad Safety				26 MoReg 2181
	DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION				
5 CSR 30-4.040	Division of School Services		26 MoReg 2283R		
5 CSR 30-4.045	Division of School Services		26 MoReg 2283R		
5 CSR 30-340.010	Division of School Services *(Changed to 5 CSR 50-340.110)*		26 MoReg 2103		
5 CSR 30-345.020	Division of Administrative and Financial Services *(Changed to 5 CSR 50-345.020)*		26 MoReg 1320	26 MoReg 2314	
5 CSR 30-660.030	Division of School Services		26 MoReg 2284R		
5 CSR 30-660.040	Division of School Services		26 MoReg 2284R		
5 CSR 30-660.050	Division of School Services		26 MoReg 2284R		
5 CSR 50-340.110	Division of School Improvement *(Changed from 5 CSR 30-340.010)*		26 MoReg 2103		
5 CSR 50-340.200	Division of School Improvement		26 MoReg 2284		
5 CSR 50-345.020	Division of School Improvement *(Changed from 5 CSR 30-345.020)*		26 MoReg 1320	26 MoReg 2314	
5 CSR 60-120.070	Vocational and Adult Education		26 MoReg 2103R 26 MoReg 2103		
5 CSR 80-800.360	Teacher Quality and Urban Education		26 MoReg 2290		
5 CSR 80-805.030	Teacher Quality and Urban Education		26 MoReg 2291		
5 CSR 80-850.025	Teacher Quality and Urban Education		26 MoReg 1503	26 MoReg 2314	
5 CSR 90-7.010	Vocational Rehabilitation		26 MoReg 1506	26 MoReg 2314	
5 CSR 90-7.100	Vocational Rehabilitation		26 MoReg 1507	26 MoReg 2314	
5 CSR 90-7.200	Vocational Rehabilitation		26 MoReg 1511	26 MoReg 2314	
5 CSR 90-7.300	Vocational Rehabilitation		26 MoReg 1514	26 MoReg 2315	
5 CSR 90-7.310	Vocational Rehabilitation		26 MoReg 1514	26 MoReg 2315	
5 CSR 90-7.320	Vocational Rehabilitation		26 MoReg 1514	26 MoReg 2315	
5 CSR 100-200.010	Missouri Commission for the Deaf		26 MoReg 1660R 26 MoReg 1660		
5 CSR 100-200.030	Missouri Commission for the Deaf		26 MoReg 1661R 26 MoReg 1661		
5 CSR 100-200.040	Missouri Commission for the Deaf		26 MoReg 1662R 26 MoReg 1662		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
5 CSR 100-200.050	Missouri Commission for the Deaf		26 MoReg 1662R 26 MoReg 1663		
5 CSR 100-200.060	Missouri Commission for the Deaf		26 MoReg 1663R 26 MoReg 1663		
5 CSR 100-200.070	Missouri Commission for the Deaf		26 MoReg 1664R 26 MoReg 1664		
5 CSR 100-200.075	Missouri Commission for the Deaf		26 MoReg 1665		
5 CSR 100-200.080	Missouri Commission for the Deaf		26 MoReg 1665		
5 CSR 100-200.085	Missouri Commission for the Deaf		26 MoReg 1666R 26 MoReg 1666		
5 CSR 100-200.090	Missouri Commission for the Deaf		26 MoReg 1666R		
5 CSR 100-200.100	Missouri Commission for the Deaf		26 MoReg 1667R 26 MoReg 1667		
5 CSR 100-200.110	Missouri Commission for the Deaf		26 MoReg 1667R		
5 CSR 100-200.120	Missouri Commission for the Deaf		26 MoReg 1668R		
5 CSR 100-200.125	Missouri Commission for the Deaf		26 MoReg 1668		
5 CSR 100-200.130	Missouri Commission for the Deaf		26 MoReg 1668R 26 MoReg 1669		
5 CSR 100-200.140	Missouri Commission for the Deaf		26 MoReg 1670R 26 MoReg 1670		
5 CSR 100-200.150	Missouri Commission for the Deaf		26 MoReg 1670R 26 MoReg 1671		
5 CSR 100-200.170	Missouri Commission for the Deaf		26 MoReg 1673R 26 MoReg 1673		
5 CSR 100-200.175	Missouri Commission for the Deaf		26 MoReg 1675R		
5 CSR 100-200.180	Missouri Commission for the Deaf		26 MoReg 1675R 26 MoReg 1676		
5 CSR 100-200.200	Missouri Commission for the Deaf		26 MoReg 1676R		
5 CSR 100-200.210	Missouri Commission for the Deaf		26 MoReg 1677R 26 MoReg 1677		
	DEPARTMENT OF HIGHER EDUCATION				
6 CSR 10-2.030	Commissioner of Higher Education		26 MoReg 2297		
	DEPARTMENT OF TRANSPORTATION				
7 CSR 10-22.020	Missouri Highways and Transportation Commission		26 MoReg 2220		
7 CSR 10-22.040	Missouri Highways and Transportation Commission		26 MoReg 2220		
	DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS				
8 CSR 70-1.010	Missouri Assistive Technology Advisory Council		26 MoReg 1797	This Issue	
8 CSR 70-1.020	Missouri Assistive Technology Advisory Council		26 MoReg 1568	26 MoReg 2315	
	DEPARTMENT OF MENTAL HEALTH				
9 CSR 30-3.120	Certification Standards		26 MoReg 2220		
9 CSR 30-3.130	Certification Standards		26 MoReg 2221		
9 CSR 30-3.132	Certification Standards		26 MoReg 2221		
9 CSR 30-3.140	Certification Standards		26 MoReg 2222		
9 CSR 30-3.300	Certification Standards		26 MoReg 2222		
	DEPARTMENT OF NATURAL RESOURCES				
10 CSR 10-5.300	Air Conservation Commission		26 MoReg 1967		
10 CSR 10-6.050	Air Conservation Commission		26 MoReg 1456		
10 CSR 10-6.060	Air Conservation Commission		26 MoReg 1974		
10 CSR 10-6.065	Air Conservation Commission		26 MoReg 1975		
10 CSR 10-6.110	Air Conservation Commission		26 MoReg 1322	26 MoReg 2160	26 MoReg 1846S
10 CSR 10-6.280	Air Conservation Commission		26 MoReg 1570		
10 CSR 20-4.023	Clean Water Commission		26 MoReg 860		
10 CSR 20-4.043	Clean Water Commission		26 MoReg 861		
10 CSR 20-6.200	Clean Water Commission		26 MoReg 1976		
10 CSR 20-15.010	Clean Water Commission		26 MoReg 1992		
10 CSR 20-15.020	Clean Water Commission		26 MoReg 1993		
10 CSR 20-15.030	Clean Water Commission		26 MoReg 2005		
10 CSR 23-3.100	Division of Geology and Land Survey		26 MoReg 1163	26 MoReg 2173	
10 CSR 40-10.020	Land Reclamation Commission		26 MoReg 1798		
10 CSR 40-10.050	Land Reclamation Commission		26 MoReg 1798		
10 CSR 60-7.020	Land Reclamation Commission		26 MoReg 1799		
10 CSR 60-10.040	Land Reclamation Commission		26 MoReg 1801		
10 CSR 60-14.020	Public Drinking Water Program				26 MoReg 1847
10 CSR 60-15.020	Public Drinking Water Program		26 MoReg 1802		
10 CSR 60-15.030	Public Drinking Water Program		26 MoReg 1804		
10 CSR 60-15.050	Public Drinking Water Program		26 MoReg 1804		
10 CSR 60-15.060	Public Drinking Water Program		26 MoReg 1805		
10 CSR 60-15.070	Public Drinking Water Program		26 MoReg 1809		
10 CSR 60-15.080	Public Drinking Water Program		26 MoReg 1813		
10 CSR 60-15.090	Public Drinking Water Program		26 MoReg 1816		
10 CSR 100-3.010	Petroleum Storage Tank Insurance Fund Board		26 MoReg 2405		
10 CSR 100-4.010	Petroleum Storage Tank Insurance Fund Board		26 MoReg 2405		
10 CSR 100-4.020	Petroleum Storage Tank Insurance Fund Board		26 MoReg 2406		
10 CSR 100-5.010	Petroleum Storage Tank Insurance Fund Board		26 MoReg 2407		
	DEPARTMENT OF PUBLIC SAFETY				
11 CSR 30-7.010	Office of the Director		26 MoReg 1817R	This IssueR	
11 CSR 40-6.060	Division of Fire Safety		26 MoReg 857		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
11 CSR 45-3.010	Missouri Gaming Commission		26 MoReg 1259	26 MoReg 2179	
11 CSR 45-4.030	Missouri Gaming Commission		26 MoReg 2297		
11 CSR 45-4.200	Missouri Gaming Commission		26 MoReg 2297		
11 CSR 45-4.205	Missouri Gaming Commission		26 MoReg 2298		
11 CSR 45-4.260	Missouri Gaming Commission		26 MoReg 2298		
11 CSR 45-4.380	Missouri Gaming Commission		26 MoReg 1259	26 MoReg 2179	
11 CSR 45-7.040	Missouri Gaming Commission				26 MoReg 2184
11 CSR 45-30.025	Missouri Gaming Commission		26 MoReg 2298		
11 CSR 45-30.190	Missouri Gaming Commission		26 MoReg 2106		
11 CSR 45-30.395	Missouri Gaming Commission		26 MoReg 2106		
11 CSR 45-30.525	Missouri Gaming Commission		26 MoReg 2106		
11 CSR 50-2.020	Missouri State Highway Patrol	26 MoReg 1793	26 MoReg 1817	This Issue	
11 CSR 50-2.120	Missouri State Highway Patrol		26 MoReg 1818	This Issue	
11 CSR 50-2.150	Missouri State Highway Patrol		26 MoReg 2299		
11 CSR 50-2.170	Missouri State Highway Patrol		26 MoReg 2300		
11 CSR 50-2.240	Missouri State Highway Patrol		26 MoReg 2300		
11 CSR 50-2.270	Missouri State Highway Patrol	26 MoReg 1793	26 MoReg 1818	This Issue	
11 CSR 50-2.320	Missouri State Highway Patrol	26 MoReg 2260	26 MoReg 2300		
11 CSR 50-2.321	Missouri State Highway Patrol		26 MoReg 2303		
11 CSR 60-1.010	Division of Highway Safety		26 MoReg 2407		
11 CSR 60-1.040	Division of Highway Safety		26 MoReg 2408		
11 CSR 60-1.050	Division of Highway Safety		26 MoReg 2408		
11 CSR 60-1.060	Division of Highway Safety		26 MoReg 2408		
11 CSR 60-1.100	Division of Highway Safety		26 MoReg 2409		
11 CSR 70-3.010	Division of Liquor Control		26 MoReg 2107		
11 CSR 70-3.020	Division of Liquor Control		26 MoReg 2109		
	DEPARTMENT OF REVENUE				
12 CSR	Construction Transient Employers				26 MoReg 1214 26 MoReg 1848 26 MoReg 2434
12 CSR 10-23.275	Director of Revenue		26 MoReg 2113		
12 CSR 10-23.452	Director of Revenue		26 MoReg 1458	26 MoReg 2179	
12 CSR 10-24.030	Director of Revenue	26 MoReg 1961	26 MoReg 1677	This Issue	
12 CSR 10-24.050	Director of Revenue		26 MoReg 2113		
12 CSR 10-24.190	Director of Revenue		26 MoReg 2113		
12 CSR 10-24.300	Director of Revenue		26 MoReg 2114		
12 CSR 10-24.326	Director of Revenue		26 MoReg 2114		
12 CSR 10-24.402	Director of Revenue		26 MoReg 2120		
12 CSR 10-24.442	Director of Revenue		26 MoReg 1458	26 MoReg 2179W	
12 CSR 10-24.462	Director of Revenue		26 MoReg 2120		
12 CSR 10-24.465	Director of Revenue		26 MoReg 1329	26 MoReg 2179	
12 CSR 10-24.470	Director of Revenue		26 MoReg 2409		
12 CSR 10-41.010	Director of Revenue	26 MoReg 2262	26 MoReg 2303		
12 CSR 10-110.600	Director of Revenue		26 MoReg 1678	This Issue	
12 CSR 10-110.955	Director of Revenue		26 MoReg 1679		
12 CSR 10-111.100	Director of Revenue		26 MoReg 2224		
	DEPARTMENT OF SOCIAL SERVICES				
13 CSR 15-4.010	Division of Aging		26 MoReg 807		
13 CSR 15-7.021	Division of Aging *(Changed to 19 CSR 15-7.021)*		26 MoReg 2034		
13 CSR 15-8.010	Division of Aging *(Changed to 19 CSR 30-90.010)*				26 MoReg 2184
13 CSR 15-8.020	Division of Aging *(Changed to 19 CSR 30-90.020)*				26 MoReg 2184
13 CSR 15-8.030	Division of Aging *(Changed to 19 CSR 30-90.030)*				26 MoReg 2184
13 CSR 15-8.040	Division of Aging *(Changed to 19 CSR 30-90.040)*				26 MoReg 2184
13 CSR 15-8.050	Division of Aging *(Changed to 19 CSR 30-90.050)*				26 MoReg 2184
13 CSR 15-8.060	Division of Aging *(Changed to 19 CSR 30-90.060)*				26 MoReg 2184
13 CSR 15-8.070	Division of Aging *(Changed to 19 CSR 30-90.070)*				26 MoReg 2184
13 CSR 15-8.080	Division of Aging *(Changed to 19 CSR 30-90.080)*				26 MoReg 2184
13 CSR 15-9.010	Division of Aging *(Changed to 19 CSR 30-81.010)*	26 MoReg 1501	26 MoReg 1515	This Issue	26 MoReg 2184
13 CSR 15-9.015	Division of Aging *(Changed to 19 CSR 30-81.015)*				26 MoReg 2184
13 CSR 15-9.020	Division of Aging *(Changed to 19 CSR 30-81.020)*				26 MoReg 2184
13 CSR 15-9.030	Division of Aging *(Changed to 19 CSR 30-81.030)*				26 MoReg 2184
13 CSR 15-10.010	Division of Aging *(Changed to 19 CSR 30-82.010)*				26 MoReg 2184
13 CSR 15-10.020	Division of Aging *(Changed to 19 CSR 30-82.020)*				26 MoReg 2184
13 CSR 15-10.030	Division of Aging *(Changed to 19 CSR 30-82.030)*				26 MoReg 2184

Rule Number	Agency	Emergency	Proposed	Order	In Addition
13 CSR 15-10.050	Division of Aging				26 MoReg 2184
	(Changed to 19 CSR 30-82.050)				
13 CSR 15-10.060	Division of Aging				26 MoReg 2184
	(Changed to 19 CSR 30-82.060)				
13 CSR 15-10.070	Division of Aging				26 MoReg 2184
	(Changed to 19 CSR 30-82.070)				
13 CSR 15-11.010	Division of Aging				26 MoReg 2185
	(Changed to 19 CSR 30-83.010)				
13 CSR 15-13.010	Division of Aging				26 MoReg 2185
	(Changed to 19 CSR 30-84.010)				
13 CSR 15-13.020	Division of Aging				26 MoReg 2185
	(Changed to 19 CSR 30-84.020)				
13 CSR 15-13.030	Division of Aging				26 MoReg 2185
	(Changed to 19 CSR 30-84.030)				
13 CSR 15-13.040	Division of Aging				26 MoReg 2185
	(Changed to 19 CSR 30-84.040)				
13 CSR 15-14.012	Division of Aging				26 MoReg 2185
	(Changed to 19 CSR 30-85.012)				
13 CSR 15-14.022	Division of Aging				26 MoReg 2185
	(Changed to 19 CSR 30-85.022)				
13 CSR 15-14.032	Division of Aging				26 MoReg 2185
	(Changed to 19 CSR 30-85.032)				
13 CSR 15-14.042	Division of Aging				26 MoReg 2185
	(Changed to 19 CSR 30-85.042)				
13 CSR 15-14.052	Division of Aging				26 MoReg 2185
	(Changed to 19 CSR 30-85.052)				
13 CSR 15-15.012	Division of Aging				26 MoReg 2185
	(Changed to 19 CSR 30-86.012)				
13 CSR 15-15.022	Division of Aging				26 MoReg 2185
	(Changed to 19 CSR 30-86.022)				
13 CSR 15-15.032	Division of Aging				26 MoReg 2185
	(Changed to 19 CSR 30-86.032)				
13 CSR 15-15.042	Division of Aging				26 MoReg 2185
	(Changed to 19 CSR 30-86.042)				
13 CSR 15-15.045	Division of Aging				26 MoReg 2185
	(Changed to 19 CSR 30-86.045)				
13 CSR 15-15.052	Division of Aging				26 MoReg 2185
	(Changed to 19 CSR 30-86.052)				
13 CSR 15-17.010	Division of Aging				26 MoReg 2186
	(Changed to 19 CSR 30-87.010)				
13 CSR 15-17.020	Division of Aging				26 MoReg 2186
	(Changed to 19 CSR 30-87.020)				
13 CSR 15-17.030	Division of Aging				26 MoReg 2186
	(Changed to 19 CSR 30-87.030)				
13 CSR 15-18.010	Division of Aging				26 MoReg 2186
	(Changed to 19 CSR 30-88.010)				
13 CSR 15-18.020	Division of Aging				26 MoReg 2186
	(Changed to 19 CSR 30-88.020)				
13 CSR 15-20.010	Division of Aging				26 MoReg 2186
	(Changed to 19 CSR 30-89.010)				
13 CSR 30-10.010	Child Support Enforcement		26 MoReg 1681	26 MoReg 2431	
13 CSR 40-19.020	Division of Family Services	26 MoReg 1962	26 MoReg 2013		
13 CSR 70-3.100	Division of Medical Services		26 MoReg 2122		
13 CSR 70-10.015	Division of Medical Services		26 MoReg 1820	This Issue	
13 CSR 70-10.050	Division of Medical services		26 MoReg 2409		
13 CSR 70-10.110	Division of Medical Services	26 MoReg 1889	26 MoReg 1904		
13 CSR 70-10.150	Division of Medical Services	26 MoReg 1502	26 MoReg 1515	26 MoReg 2227	
13 CSR 70-15.010	Division of Medical Services		26 MoReg 1907		
13 CSR 70-15.040	Division of Medical Services		26 MoReg 1911		
13 CSR 70-15.110	Division of Medical Services		26 MoReg 2014		
13 CSR 70-20.031	Division of Medical Services		26 MoReg 2016		
13 CSR 70-20.034	Division of Medical Services		26 MoReg 2018		26 MoReg 2186
13 CSR 70-50.010	Division of Medical Services		26 MoReg 1911		
13 CSR 73-2.015	Missouri Board of Nursing Home Administrators	This Issue	This Issue		
13 CSR 73-2.070	Missouri Board of Nursing Home Administrators	This Issue	This Issue		
	ELECTED OFFICIALS				
15 CSR 30-4.010	Secretary of State		26 MoReg 1825R 26 MoReg 1825		
15 CSR 30-9.010	Secretary of State		26 MoReg 1828		
15 CSR 30-9.020	Secretary of State		26 MoReg 1828		
15 CSR 30-9.030	Secretary of State		26 MoReg 1829		
15 CSR 30-10.020	Secretary of State		26 MoReg 1829R 26 MoReg 1829		
15 CSR 30-10.040	Secretary of State		26 MoReg 1831R 26 MoReg 1831		
15 CSR 30-10.060	Secretary of State		26 MoReg 1832R 26 MoReg 1832		
15 CSR 30-54.190	Secretary of Sate		26 MoReg 2303R 26 MoReg 2304		
15 CSR 30-55.010	Secretary of State		26 MoReg 2304R		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
			26 MoReg 2304		
15 CSR 30-55.020	Secretary of State		26 MoReg 2305R		
			26 MoReg 2305		
15 CSR 30-55.025	Secretary of State		26 MoReg 2306		
15 CSR 30-55.030	Secretary of State		26 MoReg 2306R		
			26 MoReg 2306		
15 CSR 30-55.040	Secretary of State		26 MoReg 2307R		
			26 MoReg 2307		
15 CSR 30-55.050	Secretary of State		26 MoReg 2308R		
			26 MoReg 2308		
15 CSR 30-55.070	Secretary of State		26 MoReg 2308R		
			26 MoReg 2309		
15 CSR 30-55.080	Secretary of State		26 MoReg 2309R		
			26 MoReg 2309		
15 CSR 30-55.090	Secretary of State		26 MoReg 2310R		
			26 MoReg 2310		
15 CSR 30-55.110	Secretary of State		26 MoReg 2310R		
			26 MoReg 2311		
15 CSR 30-55.220	Secretary of State		26 MoReg 2311		
15 CSR 50-2.050	Treasurer		26 MoReg 2414		
15 CSR 60-10.020	Attorney General		26 MoReg 1684R		26 MoReg 2431R
			26 MoReg 1684		26 MoReg 2431
15 CSR 60-10.030	Attorney General		26 MoReg 1685R		26 MoReg 2431R
			26 MoReg 1685		26 MoReg 2431
15 CSR 60-13.060	Attorney General		26 MoReg 1964	26 MoReg 2020	
	RETIREMENT SYSTEMS				
16 CSR 10-4.012	The Public School Retirement System of Missouri		26 MoReg 1833		
16 CSR 10-5.030	The Public School Retirement System of Missouri		26 MoReg 1459		26 MoReg 2180
16 CSR 10-5.055	The Public School Retirement System of Missouri		26 MoReg 1834		
16 CSR 10-5.070	The Public School Retirement System of Missouri		26 MoReg 1834		
16 CSR 10-6.045	The Public School Retirement System of Missouri		26 MoReg 1835		
16 CSR 10-6.090	The Public School Retirement System of Missouri		26 MoReg 1459		26 MoReg 2180
16 CSR 20-2.056	Missouri Local Government Employees' Retirement System (LAGERS)		26 MoReg 2311		
16 CSR 20-2.083	Missouri Local Government Employees' Retirement System (LAGERS)		26 MoReg 2312		
16 CSR 20-3.010	Missouri Local Government Employees' Retirement System (LAGERS)		26 MoReg 2312		
16 CSR 50-2.050	The County Employees' Retirement Fund		26 MoReg 1835		
16 CSR 50-2.130	The County Employees' Retirement Fund		26 MoReg 1571		26 MoReg 2315
	BOARDS OF POLICE COMMISSIONERS				
17 CSR 20-2.015	St. Louis Board of Police Commissioners		26 MoReg 2024		
17 CSR 20-2.025	St. Louis Board of Police Commissioners		26 MoReg 2024		
17 CSR 20-2.035	St. Louis Board of Police Commissioners		26 MoReg 2025		
17 CSR 20-2.045	St. Louis Board of Police Commissioners		26 MoReg 2026		
17 CSR 20-2.055	St. Louis Board of Police Commissioners		26 MoReg 2027		
17 CSR 20-2.065	St. Louis Board of Police Commissioners		26 MoReg 2027		
17 CSR 20-2.075	St. Louis Board of Police Commissioners		26 MoReg 2028		
17 CSR 20-2.085	St. Louis Board of Police Commissioners		26 MoReg 2028		
17 CSR 20-2.095	St. Louis Board of Police Commissioners		26 MoReg 2029		
17 CSR 20-2.105	St. Louis Board of Police Commissioners		26 MoReg 2030		
17 CSR 20-2.115	St. Louis Board of Police Commissioners		26 MoReg 2031		
17 CSR 20-2.125	St. Louis Board of Police Commissioners		26 MoReg 2032		
17 CSR 20-2.135	St. Louis Board of Police Commissioners		26 MoReg 2033		
	DEPARTMENT OF HEALTH AND SENIOR SERVICES				
19 CSR 10-5.010	Office of the Director		26 MoReg 2122		
19 CSR 15-7.021	Division of Senior Services *(Changed from 13 CSR 15-7.021)*		26 MoReg 2034		
19 CSR 20-3.050	Division of Environmental Health and Communicable Disease Prevention		26 MoReg 1518R		This IssueR
			26 MoReg 1518		This Issue
19 CSR 30-20.011	Division of Health Standards and Licensure		26 MoReg 1531		This Issue
19 CSR 30-20.015	Division of Health Standards and Licensure		26 MoReg 1531		This Issue
19 CSR 30-20.021	Division of Health Standards and Licensure		26 MoReg 1533		This Issue
19 CSR 30-81.010	Division of Health Standards and Licensure *(Changed from 13 CSR 15-9.010)*	26 MoReg 1501	26 MoReg 1515	This Issue	26 MoReg 2184
19 CSR 30-81.015	Division of Health Standards and Licensure *(Changed from 13 CSR 15-9.015)*				26 MoReg 2184
19 CSR 30-81.020	Division of Health Standards and Licensure *(Changed from 13 CSR 15-9.020)*				26 MoReg 2184
19 CSR 30-81.030	Division of Health Standards and Licensure *(Changed from 13 CSR 15-9.030)*				26 MoReg 2184
19 CSR 30-82.010	Division of Health Standards and Licensure *(Changed from 13 CSR 15-10.010)*				26 MoReg 2184
19 CSR 30-82.020	Division of Health Standards and Licensure *(Changed from 13 CSR 15-10.020)*				26 MoReg 2184
19 CSR 30-82.030	Division of Health Standards and Licensure *(Changed from 13 CSR 15-10.030)*				26 MoReg 2184
19 CSR 30-82.050	Division of Health Standards and Licensure *(Changed from 13 CSR 15-10.050)*				26 MoReg 2184

Rule Number	Agency	Emergency	Proposed	Order	In Addition
19 CSR 30-82.060	Division of Health Standards and Licensure *(Changed from 13 CSR 15-10.060)*				26 MoReg 2184
19 CSR 30-82.070	Division of Health Standards and Licensure *(Changed from 13 CSR 15-10.070)*				26 MoReg 2184
19 CSR 30-83.010	Division of Health Standards and Licensure *(Changed from 13 CSR 15-11.010)*				26 MoReg 2185
19 CSR 30-84.010	Division of Health Standards and Licensure *(Changed from 13 CSR 15-13.010)*				26 MoReg 2185
19 CSR 30-84.020	Division of Health Standards and Licensure *(Changed from 13 CSR 15-13.020)*				26 MoReg 2185
19 CSR 30-84.030	Division of Health Standards and Licensure *(Changed from 13 CSR 15-13.030)*				26 MoReg 2185
19 CSR 30-84.040	Division of Health Standards and Licensure *(Changed from 13 CSR 15-13.040)*				26 MoReg 2185
19 CSR 30-85.012	Division of Health Standards and Licensure *(Changed from 13 CSR 15-14.012)*				26 MoReg 2185
19 CSR 30-85.022	Division of Health Standards and Licensure *(Changed from 13 CSR 15-14.022)*				26 MoReg 2185
19 CSR 30-85.032	Division of Health Standards and Licensure *(Changed from 13 CSR 15-14.032)*				26 MoReg 2185
19 CSR 30-85.042	Division of Health Standards and Licensure *(Changed from 13 CSR 15-14.042)*				26 MoReg 2185
19 CSR 30-85.052	Division of Health Standards and Licensure *(Changed from 13 CSR 15-14.052)*				26 MoReg 2185
19 CSR 30-86.012	Division of Health Standards and Licensure *(Changed from 13 CSR 15-15.012)*				26 MoReg 2185
19 CSR 30-86.022	Division of Health Standards and Licensure *(Changed from 13 CSR 15-15.022)*				26 MoReg 2185
19 CSR 30-86.032	Division of Health Standards and Licensure *(Changed from 13 CSR 15-15.032)*				26 MoReg 2185
19 CSR 30-86.042	Division of Health Standards and Licensure *(Changed from 13 CSR 15-15.042)*				26 MoReg 2185
19 CSR 30-86.045	Division of Health Standards and Licensure *(Changed from 13 CSR 15-15.045)*				26 MoReg 2185
19 CSR 30-86.052	Division of Health Standards and Licensure *(Changed from 13 CSR 15-15.052)*				26 MoReg 2185
19 CSR 30-87.010	Division of Health Standards and Licensure *(Changed from 13 CSR 15-17.010)*				26 MoReg 2186
19 CSR 30-87.020	Division of Health Standards and Licensure *(Changed from 13 CSR 15-17.020)*				26 MoReg 2186
19 CSR 30-87.030	Division of Health Standards and Licensure *(Changed from 13 CSR 15-17.030)*				26 MoReg 2186
19 CSR 30-88.010	Division of Health Standards and Licensure *(Changed from 13 CSR 15-18.010)*				26 MoReg 2186
19 CSR 30-88.020	Division of Health Standards and Licensure *(Changed from 13 CSR 15-18.020)*				26 MoReg 2186
19 CSR 30-89.010	Division of Health Standards and Licensure *(Changed from 13 CSR 15-20.010)*				26 MoReg 2186
19 CSR 30-90.010	Division of Health Standards and Licensure *(Changed from 13 CSR 15-8.010)*				26 MoReg 2184
19 CSR 30-90.020	Division of Health Standards and Licensure *(Changed from 13 CSR 15-8.020)*				26 MoReg 2184
19 CSR 30-90.030	Division of Health Standards and Licensure *(Changed from 13 CSR 15-8.030)*				26 MoReg 2184
19 CSR 30-90.040	Division of Health Standards and Licensure *(Changed from 13 CSR 15-8.040)*				26 MoReg 2184
19 CSR 30-90.050	Division of Health Standards and Licensure *(Changed from 13 CSR 15-8.050)*				26 MoReg 2184
19 CSR 30-90.060	Division of Health Standards and Licensure *(Changed from 13 CSR 15-8.060)*				26 MoReg 2184
19 CSR 30-90.070	Division of Health Standards and Licensure *(Changed from 13 CSR 15-8.070)*				26 MoReg 2184
19 CSR 30-90.080	Division of Health Standards and Licensure *(Changed from 13 CSR 15-8.080)*				26 MoReg 2184
19 CSR 40-9.010	Division of Maternal, Child and Family Health		26 MoReg 1686	26 MoReg 2432	
19 CSR 40-9.020	Division of Maternal, Child and Family Health		26 MoReg 1687	26 MoReg 2432	
19 CSR 40-9.040	Division of Maternal, Child and Family Health		26 MoReg 1697	26 MoReg 2432	
19 CSR 60-50.420	Missouri Health Facilities Review				26 MoReg 2187 26 MoReg 2316 This Issue
	DEPARTMENT OF INSURANCE				
20 CSR	Medical Malpractice				25 MoReg 597 26 MoReg 599
	Sovereign Immunity Limits				25 MoReg 724 26 MoReg 75 This Issue
20 CSR 100-6.100	Division of Consumer Affairs	26 MoReg 1392	26 MoReg 1913		
20 CSR 200-1.030	Financial Examination		26 MoReg 1459	26 MoReg 2227	
20 CSR 200-1.160	Financial Examination		26 MoReg 2045		
20 CSR 200-6.600	Financial Examination		26 MoReg 2045		
20 CSR 200-11.101	Financial Examination		26 MoReg 1460	26 MoReg 2227	
20 CSR 200-11.120	Financial Examination		26 MoReg 1467	26 MoReg 2227	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
20 CSR 200-12.020	Financial Examination		26 MoReg 1471	26 MoReg 2228	
20 CSR 200-17.100	Financial Examination		26 MoReg 1471	26 MoReg 2229	
20 CSR 200-17.200	Financial Examination		26 MoReg 1472	26 MoReg 2229	
20 CSR 200-17.300	Financial Examination		26 MoReg 1472	26 MoReg 2229	
20 CSR 500-6.700	Property and Casualty		26 MoReg 2136R 26 MoReg 2136		

Emergency Rules in Effect as of January 2, 2002 — Expires

Department of Agriculture

Market Development

2 CSR 10-5.010	Price Reporting Requirements for Livestock Purchases by Packers	February 28, 2002
2 CSR 10-5.010	Rules Governing Livestock Purchases by Packers	February 28, 2002
2 CSR 10-5.015	Public Complaint Handling and Disposition Procedure for Missouri Livestock Marketing Law	April 23, 2002

Animal Health

2 CSR 30-2.010	Health Requirements Governing the Admission of Livestock, Poultry and Exotic Animals Entering Missouri	May 10, 2002
2 CSR 30-2.040	Animal Health Requirements for Exhibition	May 10, 2002
2 CSR 30-6.020	Duties and Facilities of the Market/Sale Veterinarian	May 10, 2002

Department of Economic Development

Missouri State Board of Accountancy

4 CSR 10-2.022	Provisional License to Practice	May 23, 2002
4 CSR 10-2.041	Eligibility Requirements for the C.P.A. Examination	May 23, 2002
4 CSR 10-2.061	Requirements for an Initial Permit to Practice	May 23, 2002
4 CSR 10-2.160	Fees	January 15, 2002

Public Service Commission

4 CSR 240-13.055	Cold Weather Maintenance of Service: Provision of Residential Heat-Related Utility Service During Cold Weather	March 31, 2002

Department of Public Safety

Missouri State Highway Patrol

11 CSR 50-2.020	Minimum Inspection Station Requirements	February 28, 2002
11 CSR 50-2.270	Glazing (Glass)	February 28, 2002

Department of Revenue

Director of Revenue

12 CSR 10-24.030	Hearings	March 28, 2002
12 CSR 10-41.010	Annual Adjusted Rate of Interest	June 29, 2002

Department of Social Services

Division of Aging

13 CSR 15-9.010	General Certification Requirements *(moved to 19 CSR 30-81.010)*	February 28, 2002

Division of Family Services

13 CSR 40-19.020	Low Income Home Energy Assistance Program	March 29, 2002

Division of Medical Services

13 CSR 70-10.110	Nursing Facility Reimbursement Allowance	March 6, 2002
13 CSR 70-10.150	Enhancement Pools	February 28, 2002

Missouri Board of Nursing Home Administrators

13 CSR 73-2.015	Fees	June 29, 2002
13 CSR 73-2.070	Examination	June 29, 2002

Elected Officials

Attorney General

15 CSR 60-13.060	Methods by Which a Person or Entity Desiring to Make Telephone Solicitations Will Obtain Access to the Database of Residential Subscribers' Notices of Objection to Receiving Telephone Solicitations and the Cost Assessed for Access to the Database	March 29, 2002

Department of Health and Senior Services

Office of the Director

19 CSR 10-4.030	National Interest Waiver Program	January 17, 2002
19 CSR 10-33.010	Reporting Patient Abstract Data by Hospitals and Ambulatory Surgical Centers	January 10, 2002

Division of Senior Services

19 CSR 30-81.010	General Certification Requirements *(moved from 13 CSR 15-9.010)*	February 28, 2002

Missouri Health Facilities Review Committee

19 CSR 60-50.200	Purpose and Structure	June 29, 2002
19 CSR 60-50.200	Purpose and Structure	June 29, 2002
19 CSR 60-50.300	Definitions for the Certificate of Need Process	June 29, 2002

19 CSR 60-50.300	Definitions for the Certificate of Need Process	June 29, 2002
19 CSR 60-50.310	Guidelines for Specific Health Services	June 29, 2002
19 CSR 60-50.310	Guidelines for Specific Health Services	June 29, 2002
19 CSR 60-50.400	Letter of Intent Process	June 29, 2002
19 CSR 60-50.400	Letter of Intent Process	June 29, 2002
19 CSR 60-50.420	Application Process	June 29, 2002
19 CSR 60-50.420	Application Process	June 29, 2002
19 CSR 60-50.430	Application Package	June 29, 2002
19 CSR 60-50.430	Application Package	June 29, 2002
19 CSR 60-50.440	Criteria and Standards for Hospital and Freestanding Health Services	June 29, 2002
19 CSR 60-50.440	Criteria and Standards for Hospital and Freestanding Health Services	June 29, 2002
19 CSR 60-50.450	Criteria and Standards for Long-Term Care	June 29, 2002
19 CSR 60-50.450	Criteria and Standards for Long-Term Care	June 29, 2002
19 CSR 60-50.460	Criteria and Standards for Other Health Services and Emerging Technology	June 29, 2002
19 CSR 60-50.460	Criteria and Standards for Other Health Services and Emerging Technology	June 29, 2002
19 CSR 60-50.470	Criteria and Standards for Financial Feasibility	June 29, 2002
19 CSR 60-50.470	Criteria and Standards for Financial Feasibility	June 29, 2002
19 CSR 60-50.480	Criteria and Standards for Alternatives	June 29, 2002
19 CSR 60-50.480	Criteria and Standards for Alternatives	June 29, 2002
19 CSR 60-50.500	Additional Information	June 29, 2002
19 CSR 60-50.500	Additional Information	June 29, 2002
19 CSR 60-50.600	Certificate of Need Decisions	June 29, 2002
19 CSR 60-50.600	Certificate of Need Decisions	June 29, 2002
19 CSR 60-50.700	Post-Decision Activity	June 29, 2002
19 CSR 60-50.700	Post-Decision Activity	June 29, 2002
19 CSR 60-50.800	Meeting Procedures	June 29, 2002
19 CSR 60-50.800	Meeting Procedures	June 29, 2002
19 CSR 60-50.900	Administration	June 29, 2002
19 CSR 60-50.900	Administration	June 29, 2002

Missouri Consolidated Health Care Plan

Health Care Plan

22 CSR 10-2.010	Definitions	June 29, 2002
22 CSR 10-2.040	PPO Plan Summary of Benefits	June 29, 2002
22 CSR 10-2.045	Co-Pay Plan Summary of Medical Benefits	June 29, 2002
22 CSR 10-2.055	Co-Pay Plan Benefit Provisions and Covered Charges	June 29, 2002
22 CSR 10-2.063	HMO/POS Premium Option Summary of Medical Benefits	June 29, 2002
22 CSR 10-2.064	HMO/POS Standard Option Summary of Medical Benefits	June 29, 2002
22 CSR 10-2.065	Staff Model Summary of Medical Benefits	June 29, 2002
22 CSR 10-2.067	HMO and POS Limitations	June 29, 2002
22 CSR 10-2.075	Review and Appeals Procedure	June 29, 2002

The rule number and the MoReg publication date follow each entry to this index.

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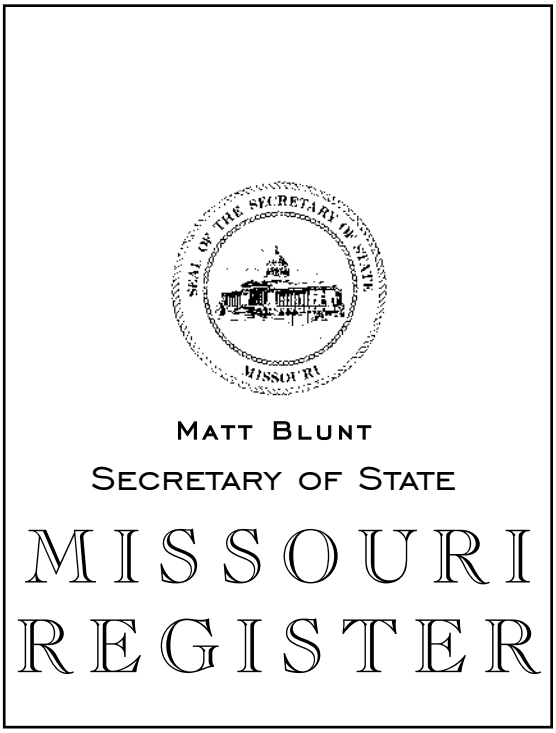

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